

GOVERNMENT, MILITARY & VETERANS AFFAIRS  
COMMITTEE

NEBRASKA LEGISLATURE

SUMMARY OF 2012 LEGISLATION

One Hundred Second Legislature  
Second Session

Senator Bill Avery, Chair  
Senator Scott Price, Vice-Chair  
Senator Charlie Janssen  
Senator Russ Karpisek  
Senator Rich Pahls  
Senator Les Seiler  
Senator Kate Sullivan  
Senator Norm Wallman

Christy Abraham, Legal Counsel  
Sherry Shaffer, Committee Clerk

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**Enacted (Page 45)**  
*Portions/Provisions of LB 966 and LB 757 were amended into LB 1035.*

- LB 1053** (Louden) Create Nebraska Tourism Commission and transfer powers and duties from the Travel and Tourism Division of the Department of Economic Development  
**Enacted (Page 46)**
- LB 1060** (Avery) Change procedures for adoption and promulgation of rules and regulations  
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- LB 1070** (Wightman) Change eligibility provisions for petitioning on the general election ballot  
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- LB 1076** (Karpisek) Change requirements for copies of public records and speaking at public meetings  
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- LB 1101** (Wightman) Change provisions relating to election of county assessors  
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**Enacted (Page 47)**
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**Enacted (Pages 47-48)**
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**Held in Committee (Pages 62-63)**  
*Portions/Provisions of LB 1159 were amended into LB 858.*
- LB 1166** (Ashford) Eliminate certain elective county offices when approved by voters and provide for appointments  
**Withdrawn**
- LB 1170** (Christensen) Change provisions of separate segregated political funds under the Nebraska Political Accountability and Disclosure Act  
**Held in Committee (Page 63)**
- LB 1171** (Christensen) Adopt the Nebraska Balance of Powers Act and create the Committee on

Nullification of Federal Laws  
**Held in Committee (Pages 63-64)**

- LR 371** (McCoy) Request for a federal amendments convention limited to amending the Constitution of the United States providing that an increase in the federal debt requires certain approval  
**Held in Committee (Page 66)**
- LB 381** (Fulton) Recognize the achievements of Colonel Harry Francis Cunningham on the eightieth anniversary of the completion of the State Capitol and request the Lincoln City Council rename a portion of “J” Street in his honor  
**Held in Committee (Page 66)**
- LR 473** (Avery) Approve the gift of materials, labor, and in-kind services from the Norfolk Veterans' Home Heroes Park Foundation to the Norfolk Veterans' Home Heroes Park Project  
**Adopted (Page 66)**

**BILL SUMMARIES: 2011 BILLS ENACTED IN 2012**

**LB 14 (Wightman) Change fees received by registers of deeds, county clerks, district court clerks and the Secretary of State**

LB 14 changes fees received by clerks and registers of deeds.

The current fee for recording a deed, mortgage, will, decree in a testate estate, or any other instrument with the register of deeds, is five dollars per page.

Under LB 14, the fee will be increased to ten dollars for the first page and six dollars for each additional page. Two dollars and fifty cents of the ten-dollar fee for recording the first page and fifty cents of the six-dollar fee for recording each additional page will be used exclusively for preserving and maintaining public records in the register of deed's office. The fees will also be used for modernization and technology needs of these records. These funds will not be substituted for other allocations of county general funds to the register of deeds.

Section 33-112, which provides the clerk or register of deeds to receive a fee for entering instruments in the numerical record, is outright repealed.

Additionally, the fees for filing and indexing a notice of lien under the Uniform Federal Lien Registration Act and the Uniform State Tax Lien Registration and Enforcement Act are raised to two times the fee required for recording documents with the register of deeds. The fees in these two acts are split between the Secretary of State and the designated county in the filing.

The committee amendment sunsets the fee increase received by clerks and registers of deeds under this bill after five years.

The current fee for recording a deed, mortgage, will, decree in a testate estate, or any other instrument with the register of deeds, is five dollars per page. For entering each instrument presented for record in the numerical index, the clerk or register of deeds receives fifty cents for each lot and each single block without lots in platted areas and fifty cents for each section in unplatted areas to be paid in advance by the person offering the instrument for record. These current fees will be reinstated on January 1, 2018.

Additionally, the increased fees for filing and indexing a notice of lien under the Uniform Federal Lien Registration Act and the Uniform State Tax Lien Registration and Enforcement Act will only apply until January 1, 2018. These fees will return to their current levels on or after January 1, 2018.

The bill becomes operative on January 1, 2013.

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**LB 503 (Pirsch) Change provisions for filing a vacancy on the ballot**

LB 503 harmonizes provisions dealing with a vacancy created by a declination of a candidate and a vacancy created when a candidate withdraws.

First, the bill makes changes when a person is nominated for elective office for the general election and the person declines the nomination. With the bill, the filing officer is required to inform the chair or secretary of the campaign or political party committee of the declination if there is one within the jurisdiction of the filing officer. If there is not, the filing officer will inform at least three of the prominent members of the candidate's political party within the jurisdiction of the filing officer of the declination. Such declination will create a vacancy on the ballot.

Under current law, if a vacancy of the ballot arises for any partisan office, the chair and secretary of the executive committee of the political party must file with the filing officer a certificate setting forth the cause of the vacancy and the name and address of the new nominee. LB 503 provides that if there is no executive committee of the political party or in lieu of the executive committee filling the vacancy, a mass convention of the political party may fill the vacancy.

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## **BILL SUMMARIES: 2011 BILLS ON SELECT FILE IN 2012**

### **LB 344 (Ashford) Provide for an interjurisdictional planning commission for counties containing a city of the metropolitan class**

LB 344 changes provisions relating to county-city mergers.

LB 344 requires an interjurisdictional planning commission (IPC) be formed in a county containing a metropolitan class city within 90 days of the effective date of this bill. The IPC will study the issue of merger and develop a plan for merger of some or all of such services. The plan will be developed and approved by the commission by July 1, 2012.

The membership on the IPC will include three members selected by the mayor of the metropolitan class city, two members by the city council of the metropolitan class city, two members by the county board and two members selected jointly by other municipalities in the county.

The IPC will study: the services provided by governmental subdivisions; tax and spending implications of merging; quality and cost of services; elected officials and the continuation or elimination of such offices; all functional areas that could be merged; and the effects of the plan.

The bill also changes how the votes are tabulated on the question of creating a municipal county, whether or not it contains a metropolitan class city. The proposal to form the municipal county will be approved if the following vote to approve:

1. a majority of those voting on the question;
2. a majority of those voting who reside in at least one municipality;
3. a majority of those voting who reside in areas in the county to be consolidated which are outside any municipality to be consolidated.

The bill eliminates the requirement that those residing in each county but outside any municipality or any sanitary and improvement district must vote to approve or the merger fails.

The committee amendment strikes all of the original sections of the bill and creates a new section of law that provides for the formation of an interjurisdictional planning commission to review and plan for the merger of governmental services within a county that contains a city of the metropolitan class.

The interjurisdictional planning commission will study issues relating to the merger of governmental services of the county and municipalities and will develop a plan for merger of some or all of such services. The plan will be developed and approved by the commission by July 1, 2013.

The membership of the commission will include:

1. Two members selected by the mayor of the city of the metropolitan class;
2. Two members selected by the city council of the city of the metropolitan class;
3. Four members selected by the county board;
4. One member from each of the other municipalities within the county containing the city of the metropolitan class.

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**LB 352 (Lautenbaugh) Provide airport hazard area dimensions under the Airport Zoning Act**

LB 352 amends the definitions in the Airport Zoning Act.

The definition of airport hazard area is changed to provide that an airport hazard area will not extend in any direction a distance in excess of the limits provided for an approach, operation, transition, or turning zone. Currently, these areas are prohibited from extending in any direction a distance in excess of three miles from the boundary of an airport.

The bill also adds specific language defining approach zone, operation zone, transition zone, and turning zone's outer limit.

The committee amendment makes technical changes to the bill regarding the definition of approach zone for instrument and visual runways. The amendment also makes technical changes to the definition of transition zone and turning zone's outer limit.

Finally, the committee amendment provides that any existing structure or tree in compliance on the effective date of this act will be deemed to be in compliance after the effective date of this act if the structure or tree does not increase in height.

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**LB 606 (Avery) Require reporting of electioneering communication under the Nebraska Political Accountability and Disclosure Act**

LB 606 requires any person who makes an electioneering communication in the amount of more than \$250 to file a report of the electioneering communication with the Nebraska Accountability and Disclosure Commission (commission). These reporting requirements are similar for those who make an independent expenditure.

Similarly, if a corporation, labor organization or business association makes an electioneering communication with a value of more than \$250, it will file a report with the commission including the nature, date, and value of the electioneering

communication and the name of the candidate identified in the electioneering communication.

Electioneering communication is defined to mean any communication that: refers to a clearly identified candidate; is publicly distributed in the 30 days before an election; and is directed to the electorate of the office sought by the clearly identified candidate.

Electioneering communication does not include: a contribution or expenditure; a communication by media; a candidate debate, or a communication by a membership organization to the organization's members.

The bill failed to advance from Select File.

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## **BILL SUMMARIES: 2011 BILLS ON GENERAL FILE IN 2012**

### **LB 161 (Karpisek) Change provisions relating to recounting votes**

LB 161 allows any candidate who failed to be nominated or elected to request a manual recount at his or her expense. The recount will be conducted by the county canvassing board. The requesting candidate may provide the filing officer with a list of up to ten election precincts to be recounted first and may waive the balance of the recount after these precincts have been recounted.

The cost of the recount will be determined for both the county and the listed precincts by the county election official. If the recount involves more than one county, the county election official will certify the cost to the Secretary of State who will notify the candidate of the determined cost of each county and for the listed precincts.

Currently, recounts are conducted using the same procedure as those used for ballots on election day.

The committee amendment narrows who is allowed to request a manual recount.

With the amendment, only candidates who fail to be nominated or elected by no more than the margin triggering the automatic recount outlined in section 32-1119 may request a manual recount.

The bill failed to advance from General File.

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### **LB 175 (Avery) Provide for transfers from the Campaign Finance Limitation Cash Fund**

LB 175 allows the transfer of funds from the Campaign Finance Limitation Cash Fund to the Nebraska Accountability and Disclosure Cash Fund at the direction of the Legislature.

The State Treasurer shall transfer six percent (6%) of the amount in the Campaign Finance Limitation Cash Fund on July 1 of every year beginning in 2011 to the Nebraska Accountability and Disclosure Commission Cash Fund for the costs of the commission in administering the Campaign Finance Limitation Act.

The committee amendment strikes the original sections and becomes the bill.

With the committee amendment, the Legislature is allowed to transfer funds at its discretion from the Campaign Finance Limitation Cash Fund to the Nebraska Accountability and Disclosure Cash Fund for the costs of the Accountability and Disclosure Commission in administering the Campaign Finance Limitation Act.

As with the original bill, the committee amendment includes an emergency clause.

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**LB 239 (Janssen) Require presentation of government-issued photographic identification to vote in elections**

LB 239 provides that no ballot will be handed to any voter in an election until the voter has presented a government-issued photographic identification or the voter votes a provisional ballot.

If a person does not present photo ID, he or she may vote a provisional ballot. The person is then required to present the government-issued photographic identification within 10 days after the election, or the ballot will not be counted. If the person signs a statement that he or she is indigent and unable to obtain photo ID or that the voter has a religious objection to being photographed, the provisional ballot will be counted.

The committee amendment strikes the original sections of the bill and replaces them with the following provisions:

A voter will not be handed a ballot at any election until the voter has presented a government-issued photographic identification or an acknowledgment of registration. A person who does not present identification at the polling place will be allowed to vote provisionally.

Government-issued photographic identification is defined as a motor vehicle operator's license or state identification card or a document issued by the United States which includes the name and photograph of the individual.

Prior to every statewide primary and general election, the election commissioner or county clerk will mail an acknowledgment of registration to every registered voter who does not have a motor vehicle operator's license or state identification card for the purpose of presenting identification at the voter's polling place.

Voters who vote an early ballot will not be required to show identification. Similarly, in an election held by mail, voters will not be required to show identification.

Currently in law there are identification requirements for persons who register to vote by mail and are voting in Nebraska for the first time. The committee amendment adds government-issued photographic identification to the list of documents currently listed in statute as acceptable forms of identification for these types of voters.

The motion to invoke cloture on General File failed.

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**LB 343 (Brasch) Change land surveyor registration requirements**

LB 343 changes the requirements for land surveyors and surveyors-in-training.

The specific statutory requirements for when applicants are entitled to take a written examination designed to determine their qualification to practice land surveying, are eliminated. LB 343 provides that the State Board of Examiners for Land Surveyors will outline the requirements in rules and regulations.

Similarly, the specifics defining a surveyor-in-training are replaced with language stating that a surveyor-in-training is a person who has successfully passed a written examination in the fundamentals of surveying approved by the examining board.

The bill failed to advance from General File.

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**BILL SUMMARIES: 2011 BILLS HELD IN COMMITTEE IN 2012**

**LB 21 (McCoy) Change provisions relating to ballots cast by presidential electors**

LB 21 eliminates the current presidential elector system in Nebraska in which one presidential elector is chosen from each congressional district and two presidential electors are chosen at large. With LB 21, each presidential elector will cast his or her ballot for the presidential candidate who receives the highest number of votes in the state.

In other words, the presidential candidate who receives the highest number of votes in the state will receive all five electoral votes.

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**LB 37 (Harms) Provide requirements for access to information for government audits**

LB 37 requires agencies to provide to the Auditor of Public Accounts and the Legislative Performance Audit Section access to any information or records as soon as practicable and without delay, but not more than four business days after receipt of the written request or provide reasons why the agency is not complying. If the entire request cannot be fulfilled within four business days due to difficulty or the extensiveness of the request, a written explanation will be given. No delay due to significant difficulty or extensiveness of the request will exceed three calendar weeks after the receipt of the request unless a longer time period is agreed upon.

Any information requested by the Auditor of Public Accounts or the Legislative Performance Audit Section will be provided without any fees or costs.

LB 37 also adds a penalty provision to the Auditor's statutes. It provides that any person who willfully fails to comply with providing records to the Auditor or otherwise willfully obstructs the conduct of any audit will be guilty of a Class II misdemeanor. Similar language is currently in statute for the Legislative Performance Audit Section.

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**LB 97 (Karpisek) Require Secretary of State to provide uniform guidelines for election workers**

LB 97 requires the Secretary of State to develop uniform guidelines for election workers regarding the conduct of election workers on Election Day and make such guidelines available on the Secretary of State's web site.

The guidelines may cover other conduct with regard to election workers and, in that regard, will take into account variations in counties with regards to size and population.

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**LB 116 (Avery) Provide for use of Veterans' Aid Income Fund for the state veteran cemetery system**

LB 116 allows funds from the Veterans' Aid Income Fund to be used for the administration, maintenance, and operation of the state veteran cemetery system. Currently, the state veterans' cemetery in Box Butte is the only cemetery in the system.

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**LB 117 (Avery) Change publication requirements for constitutional amendments and initiative and referendum measures**

LB 117 changes the publication requirements for constitutional amendments and initiative and referendum measures. The bill requires a notice be placed in the newspaper directing citizens to a Secretary of State website where the full text of the constitutional amendment or the initiative and referendum measures can be read.

In the Nebraska constitution, there is a requirement that constitutional amendments proposed by the Legislature be published in at least one newspaper in each county for three consecutive weeks. This requirement is repeated in statute. There is no similar constitutional provision for initiatives and referendums, although there is a statutory requirement that such measures be published in all legal newspapers in the state for three consecutive weeks.

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**LB 168 (Avery) Provide for voter registration on the Secretary of State's website**

LB 168 requires the Secretary of State to develop a website to allow for electronic voter registration and updating of voter registration records. An applicant who has a valid Nebraska motor vehicle operator's license or state identification card may use the web site to register to vote or update voter registration materials.

The Secretary of State will obtain a copy of the applicant's digital signature from the Department of Motor Vehicles' records for purposes of voter registration.

In addition to the information required on the current voter registration application, additional informational statements will be required when registering on line, including: an affirmation that the electronic application is true; the applicant agreeing to the use of his or her digital signature from the Department of Motor Vehicles records; that if the applicant is registering for the first time and has not previously voted in the state, additional photo identification may be needed; that applications must be submitted electronically on or before the third Friday before the election; and that the county election official will send an acknowledgment of registration to the applicant.

The bill also amends the motor vehicle operators' licenses provisions to prohibit any official or employee in the Secretary of State's office from releasing a digital signature except in specific circumstances.

The bill has an operative date of January, 2012.

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**LB 169 (Avery) Authorize provisional ballots for registered voters changing residence within Nebraska**

LB 169 provides that if a voter has moved from one residence to another within the state, the voter will be entitled to vote provisionally. Currently, voters who move **within the county** in which they are registered to vote are allowed to vote provisionally. This bill allows someone who moves from one county to a different county to vote provisionally in their new county of residence.

This act becomes operative on January 1, 2012.

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**LB 172 (Avery) Create the Commission on Indian and Multicultural Affairs and eliminate the Commission on Latino-Americans and the Commission on Indian Affairs**

LB 172 eliminates the Commission on Latino-Americans and the Commission on Indian Affairs and creates the Commission on Indian and Multicultural Affairs (commission).

The commission will consist of 10 members appointed by the Governor. Six members will be enrolled tribal members; three members will be appointed so that one member represents each of the three most populous census categories, except that such members will not be from the category of White or American Indian; and one member will be an at-large member.

The commission is charged with: promoting state and federal legislation beneficial to Indian and multicultural communities, coordinating existing programs in the areas of housing, education, welfare, medical, employment and other related problems; working with other state and federal government agencies; and keeping the Governor's office and the public with information on the Indian and multicultural communities.

The commission will meet at least once quarterly. An executive board for the commission is also established.

This act becomes operative on July 1, 2011 and has an emergency clause.

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**LB 173 (Avery) Prohibit natural resources district board members from running for or holding more than one office**

LB 173 adds natural resources district to the definition of high elective office.

Current law provides that no person serving in high elective office shall simultaneously serve in any other high elective office. Therefore, under this bill, members of a natural resources district board will not be allowed to serve in any other high elective office simultaneously.

Other high elective offices include: members of the legislature, governor, lieutenant governor, secretary of state, auditor of public accounts, state treasurer, attorney general, public service commission, state board of education, University of Nebraska board of regents, county, city, learning community, community college area, or school district elective office.

LB 173 also provides that any person holding more than one high elective office on the effective date of this bill will be entitled to serve the remainder of all terms for which he or she was elected or appointed.

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**LB 186 (Sullivan) Require nonpartisan ballots for county officers**

LB 186 changes the following county offices from partisan to nonpartisan offices: county clerk, register of deeds, county assessor, county sheriff, county treasurer, county attorney, public defender, clerk of the district court, county surveyor, county engineer, board of supervisors and board of commissioners.

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**LB 198 (Mello) Change provisions relating to the purchase or lease of state-owned passenger cars**

LB 198 adds requirements to the purchase of state-owned passenger cars.

With the bill, all state-owned passenger cars purchased or leased by the transportation services bureau will be:

- Identified as Fuel Economy Leaders;
- Flex fuel vehicles;
- Hybrid electric vehicles;
- Electric or plug-in electric vehicles;
- Hydrogen or fuel cell vehicles; or
- Other alternative fuel vehicles.

The chief of the transportation services bureau may exempt the purchase or lease of state-owned passenger cars from this requirement if he or she determines the cost of compliance will exceed the projected gasoline consumption cost savings.

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**LB 214 (Pankonin) Require nonpartisan election of county and city officials**

LB 214 changes the election of county and city officials. With the bill, county and city officials will be elected on a nonpartisan ballot.

The following county offices are changed from partisan to nonpartisan offices: county clerk, register of deeds, county assessor, county sheriff, county treasurer, county attorney, public defender, clerk of the district court, county surveyor, county engineer, board of supervisors, and board of commissioners.

Currently, city and village officers are elected on a nonpartisan ballot unless a city or village provides for a partisan ballot by ordinance. This bill eliminates the option of allowing a city to pass an ordinance to elect city offices by partisan ballot.

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**LB 224 (Avery) Change provisions relating to recall of certain political subdivision officials**

With LB 224, the reasons for which a recall may be sought are limited to malfeasance in office, misfeasance in office, nonfeasance in office, or conviction of a crime involving an act of dishonesty or a false statement. Malfeasance, misfeasance and nonfeasance are defined in the bill. Currently, recall efforts do not need to be based on specific reason.

The principal circulator or circulators of the recall will submit to the filing clerk a statement, of sixty words or fewer, alleging facts which, if true, establish the grounds of malfeasance, misfeasance, nonfeasance in office or conviction of a crime involving an act of dishonesty or a false statement.

Under current law, the individual sought to be recalled is notified that an affidavit has been filed by the principal circulator seeking his or her removal from office. The individual is then given the opportunity to file, within 20 days, a defense statement. With LB 224, the individual may decide, instead of filing a defense statement, to file suit in the district court to challenge the sufficiency of the allegations in the statement filed by the principal circulator or circulators. The court will presume the allegations are true and construe them in the light most favorable the principal circulator or circulators. The court will determine, without hearing or cost, whether the allegations in the statement establish the existence of malfeasance, misfeasance, nonfeasance in office or conviction of a crime involving an act of dishonesty or a false statement. The court will notify the clerk and all parties within five days after the decision.

If the allegations are found to be sufficient, the individual whose removal is sought may submit a defense statement within 20 days after receiving the notice

of the decision. After receipt of the defense statement or the expiration of the 20 day period if no defense statement is submitted, the filing clerk will issue the petition papers to the principal circulator or circulators.

If the allegations are found not to be sufficient, the filling clerk will not issue petition papers.

Finally, the bill requires the filing clerk to notify the Secretary of State when initial petition papers are issued, when the recall petition is found to be sufficient and an election will be held, and the results of recall elections. The Secretary of State will compile all of these records.

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**LB 266 (Sullivan) Change the Open Meetings Act relating to closed sessions**

LB 266 changes the reasons a public body may hold a closed session. With this bill, a public body may hold a closed session for a job performance evaluation of a non-elected official or employee, if the person has not requested an open meeting.

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**LB 312 (Coash) Adopt the Brain Injury Act to provide ongoing support for veterans with brain injury**

LB 312 creates the Brain Injury Council. The council will consist of 15 members including the director of the Department of Veterans' Affairs, the director of the Division of Rehabilitation Services and thirteen public members.

The council will provide advisory, technical assistance to the Department of Education in the implementation of the Brain Injury Act. Specifically, the council will: advise and make recommendations to the Department of Education on ways to improve and develop services regarding brain injury; encourage citizen participation; oversee programs created under the federal Traumatic Brain Injury Act; and advise the Division of Rehabilitation Services on the administration of the Veterans Resource Facilitation Fund.

The Veterans Resource Facilitation Fund will be utilized to provide for resource facilitators to facilitate program services; including ongoing support for veterans with brain injuries and helping them transition back to employment and living in the community. Money in the fund may also be used to provide for the expense of the Brain Injury Council.

The Division of Rehabilitation Services will report annually to the Governor and the Legislature on the status of the fund.

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**LB 365 (Sullivan) Change access provisions for voter information and voter registration registers**

LB 365 changes provisions relating to access to the voter registration register.

With the bill, any person may examine the register but is not allowed to make copies or makes notes or other memoranda of the driver's license number, voter identification number, or last four digits of a social security number of any voter.

Similarly, the election commissioner or county clerk will make available for purchase a list of registered voters that includes the voting history, but will not include the driver's license number, voter identification number, or last four digits of a social security number of any voter. The Secretary of State may provide such a list of all registered voters in the state for a fee of \$500.

Finally, the Secretary of State will provide a list of all registered voters and their addresses to each political party which has candidates that will appear on the upcoming primary or general election. Currently, such lists are provided by the election commissioner or county clerk.

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**LB 367 (McCoy) Change balloting and vacancy provisions for presidential electors**

LB 367 changes balloting and vacancy provisions for presidential electors.

With the bill, presidential electors will execute a pledge agreeing to mark their ballots for President and Vice President of the party that selected them.

Each presidential elector will present the completed ballot to the Secretary of State who will examine each ballot and accept as cast each ballot marked by a presidential elector consistent with his or her pledge. The Secretary of State will not accept a ballot if a presidential elector marked the ballot in violation of his or her pledge or did not mark the ballot.

A presidential elector who refuses to present a ballot, presents an unmarked ballot, or presents a ballot marked in violation of his or her pledge vacates the office of presidential ballot. This creates a vacancy which the Governor will fill.

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**LB 412 (Karpisek) Change provisions regarding contributions and expenditures under the Nebraska Political Accountability and Disclosure Act**

LB 412 prohibits a committee, other than a candidate committee, that is established or controlled by a person holding a state elective office to make a contribution or expenditure to any candidate or candidate committee of a candidate for a state elective office or to any political party committee.

The bill also prohibits a candidate committee from making a contribution to or independent expenditure on behalf of a political party. Currently, candidate

committees are prohibited from making such contributions or expenditures to candidate committees.

Finally, the bill eliminates the ability of a dissolving candidate committee from transferring unexpended funds to another candidate committee or political party. Under the bill, a candidate committee which is dissolving is allowed to transfer the unexpended funds to a tax-exempt charity. Currently, transfers can be made to charity, another candidate committee or a political party.

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**LB 425 (Lautenbaugh) Change provisions relating to real estate tracts and the designation of industrial area**

LB 425 changes provisions relating to the designation of industrial tracts.

The bill changes the provisions regarding when a municipality may annex an industrial tract. With LB 425, the threshold of when a real estate tract will not be subject to inclusion within any city of the first or second class or village is raised from in excess of \$286,000 in assessed taxable valuation to in excess of \$15 million.

The bill provides additional procedures when a county board reviews any and all real estate tracts contained in any industrial area. When a county board determines to review real estate tracts contained in any industrial area, the county board will notify the owner of the review hearing. The notice will be sent by certified mail and published in the newspaper.

If the county board determines the real estate tract is no longer eligible for the industrial area designation, the board will enter an order removing the designation from the real estate tract or portion of the tract. The designation cannot be removed against the wishes of the owner as long as the tract continues to be in compliance of the definition of “industry”

The bill changes the definition of “industry” to include any enterprise that has as its primary function any agricultural, manufactured, mineral or chemical products. It eliminates any enterprise with storage as its primary function. Also, industry does not include any enterprise involved in retail sale of its service or product.

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**LB 443 (Avery) Increase certain fees assessed by the State Fire Marshal**

LB 443 raises certain fees assessed by the State Fire Marshal.

Specifically, the bill increases the fee for fire safety inspections of liquor establishments, foster care facilities, hospitals and other health care facilities, and mobile home parks to not less than \$30 nor more than \$175. The current range is not less than \$25 or more than \$150.

Fees for providing investigation reports to insurance companies are increased from three to four dollars.

The fees for reviewing plans, blueprints and shop drawings are increased as follows:

<u>structures or improvements</u>	<u>fee</u>
\$1-5000	increased \$5 to \$10
\$5001 to \$25,000	increased \$5 to \$10 for the first \$5000, \$3 for additional \$5000
\$25,001 to \$50,000	increased \$15 to \$20 for the first \$25,000, \$3 for additional \$5000
\$50,001 to \$100,000	increased \$25 to \$30 for the first \$50,000, \$2 for additional \$5000
\$100,001 to \$200,000	increased \$35 to \$40 for the first \$100,000, \$2 for additional \$10,000
\$200,001 or more	increased \$50 to \$55 for the first \$200,000, \$2 for additional \$10,000

Additional fee to review plans, blueprints, and shop drawings to determine compliance with accessibility standards will not exceed \$275. Currently, the fees shall not exceed \$250.

The registration fee for above ground storage tanks is raised from a fee not to exceed \$10 to \$15.

The fee for a permit to install a new tank for storage of regulated substances is increased from \$50 to \$55. The registration fee for such tanks is increased from \$30 to \$35.

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**LB 444 (Avery) Provide methods for notice under the Open Meetings Act**

LB 444 provides that the method of providing notice of public meetings will include, but not be limited to, publication in a newspaper of general circulation, posting on the public body's web site, or posting in a public building in the community.

The bill retains the current notice provisions that require public bodies to give reasonable advance publicized notice of the time and place of each meeting by a method designated by the public body. LB 444 provides guidance on the methods to provide such notice.

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**LB 523 (Pahls) Require identification for petition circulators**

LB 523 requires the sponsor or principal circulator of a petition under the Election Act to provide each circulator of such petition with identification that will contain a unique

number to that circulator. The identification will not contain the name or other personal information of the circulator.

The sponsor or principal circulator will maintain records of the name and address of each circulator along with the number assigned to each circulator. The sponsor or principal circulator will only make these records available for purposes of investigation upon request from the Secretary of State, the Attorney General, and law enforcement.

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**LB 566 (Schumacher) Provide for online petition signatures for recall, initiative, and referendum petitions**

LB 566 states it is the intent of this legislation to facilitate the rights of the people to petition through the use of electronic signatures on petitions and the electronic verification of signatures on petitions used in the recall, initiative, and referendum process.

Under the bill, the Secretary of State will provide for the submission of electronic signatures for every petition unless the petition sponsor opts out of the use of electronic signatures. If the petition sponsor does not opt out, eligible signers may choose whether to submit their signatures electronically or sign the petition manually.

A petition sponsor who does not opt out shall pay a filing fee or file a qualifying affidavit. The filing fee will be \$10,000 for an initiative petition proposing a constitutional amendment and \$5000 for any other petition. If a petition sponsor cannot afford the filing fee, he or she may file a qualifying affidavit.

If an eligible signer signs a petition by an electronic signature, the Secretary of State and county election official will accept it and include it in the count necessary to validate the petition. No circulator signature or notarization will be required for electronic signatures. The bill outlines several requirements the electronic signature must meet in order to have the same force and effect as the use of a manual signature.

When the Secretary of State receives an electronic signature, he or she will mail a post card to the signer at the address on his or her voter registration address indicating the signature has been received. The signer has 10 days to indicate he or she did not submit the signature.

If the electronic signature cannot be correlated with the signer, the signer may request a petition be mailed to him or her. The Secretary of State will encrypt coding on a single signature petition form and mail it to the signer. No circulator signature or notarization will be required.

The Secretary of State is given several duties under this bill including: adopting rules and regulations to carry out the legislation, and establishing a secure server located in Nebraska. They are also given authority to establish a verification database from state

and county agencies and operate a secure web site account for the purpose of receiving credit card contributions.

Any person may challenge a petition containing electronic signatures. The bill outlines specific procedures for the person making the challenge.

The Petition Operations Fund is created to carry out the provisions of this legislation.

Finally, a person may become a registered participant and request that a link be placed on the web site created by the Secretary of State. The application will provide appropriate information on the link and include a registration fee of \$250 for each link. The link will provide information supporting or opposing a petition.

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**LB 568 (Schumacher) Provide duties for the State Treasurer relating to state employee benefits**

LB 568 adds a duty for the State Treasurer to receive and keep all money of the state, including funds used to pay the costs of any benefit pursuant to the terms of a labor contract negotiated by or on behalf of a bargaining unit.

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**LB 577 (Wightman) Provide an application fee for a structure building permit issued by the Department of Aeronautics**

LB 577 requires a person to pay a fee of \$75 to the Department of Aeronautics Cash Fund when applying to build or erect a structure that exceeds 150 feet in height above the surface of the ground.

The bill has an emergency clause and an operative date of July 1, 2011.

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**LB 583 (Haar) Adopt the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote**

LB 583 creates the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote. The compact will become effective when states cumulatively possessing a majority of the electoral votes have enacted this compact.

The chief election official of each member state will designate the presidential slate with the largest national popular vote total as the national popular vote winner. The presidential elector certifying official of each member state will certify the appointment in that official's own state of the elector slate in association with the national popular vote winner.

Each state which has adopted the compact will make a determination of the number of popular votes cast in the state and communicate that determination to each other member state.

The compact outlines the procedure in the event of a tie and gives the presidential national popular vote winner the power to nominate the presidential electors in some circumstances.

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**LB 597 (Pahls) Require consolidation of county offices**

LB 597 requires counties with a population of fewer than 25,000 inhabitants to consolidate the following offices such that no more than five individuals occupy all the offices at any time: clerk of the district court, county assessor, county clerk, county highway superintendent, county sheriff, county surveyor, county treasurer, county zoning administrator, election commissioner, register of deeds, and weed control superintendent.

Consolidation of an office is not required if the office is not utilized by the county or if the officeholder serves as county surveyor, county weed control superintendent, county zoning administrator, or county highway superintendent in more than one county.

Currently, a county may consolidate the office of clerk of the district court, county assessor, county clerk, county engineer, county surveyor or register of deeds. LB 597 provides that a county with a population of fewer than 25,000 inhabitants may consolidate any of those offices with any of the offices of county highway superintendent, county sheriff, county treasurer, county zoning administrator, election commissioner, or weed control superintendent. The offices of clerk of the district court and county sheriff may not be consolidated with each other.

The holder of a consolidated office will meet the qualifications required by law for each office held. Current law requires a county board to adopt a resolution for the consolidation of offices and then submit the issue to the voters for approval. With LB 597, only a county with more than 25,000 inhabitants is required to submit the issue of consolidation to the voters.

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**LB 605 (Conrad) Provide for voter registration on election day and require identification to vote**

LB 605 allows electors to register to vote and vote on Election Day by presenting proof of identification and residence and completing a registration application. The elector may register and vote at his or her polling place. If the election is conducted by mail, the elector will register to vote and vote at the election commissioner or county clerk's office.

If the elector is registering in Nebraska for the first time and has not previously voted in the state, the elector is required to present a photographic identification or a copy of a utility bill, bank statement, government check, paycheck or other current government document that shows the name and address of the elector as they appear on the application.

If the elector is not registered in his or her county of residence and has previously registered to vote in the state, the elector will present a driver's license, state identification card, passport, military identification, employer's identification or student identification which is current and has a photo or digital image. If the address on the above identification does not match the application, the elector will also need to present a utility bill, check or other government document that is current and shows the name and address of the elector as they appear on the application.

The election commissioner or county clerk will provide each precinct with a list of all physical addresses in the precinct and the corresponding ballot style for each address if there is more than one ballot style in the precinct.

In addition to allowing election day registration, LB 605 provides that no ballot will be handed to any voter in any election until the voter has presented a motor vehicle operator's license, state identification card, passport or other identification with a photograph or digital image issued by the government, or a copy of a utility bill, bank statement, paycheck or other current document showing the name and address of the voter, unless the voter votes a provisional ballot.

If a person votes provisionally, the person has 10 days after the election to present the required identification to the election commissioner or county clerk for the ballot to be counted.

A resident of a nursing home or a voter voting in an election by mail will not be required to present identification prior to being issued a ballot.

Currently, there are identification requirements for persons who register to vote by mail and are voting in Nebraska for the first time. LB 605 requires such voters to provide a required identification document within 10 days of the election if the ballot is not counted. Also, a voter who votes early will provide a government issued photographic identification within 10 days after the election or the ballot will not be accepted for counting.

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**LB 616 (Mello) Require the Department of Administrative Services to submit a report on the privatization of the management of the state's real property**

LB 616 requires the Department of Administrative Services to prepare a report on all real property owned or leased by the state that is managed by DAS, including the potential for the department to enter into a contract with a professional real estate firm to conduct a review of the real property and to create a partnership with a private entity to manage the real property.

Some of the issues to be addressed in the review include identifying: poorly performing property; leases above market value; areas for cost reduction; opportunities for improving efficiency; and real property disposition opportunities.

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**LB 631 (Cook) Provide for a permanent early voting request list**

LB 631 allows a registered voter to request to be included on a permanent list of voters to receive an application to request a ballot for early voting.

Prior to each election, the election commissioner or county clerk will mail to all voters who are eligible for the election and who are included on the permanent early voting request list, an application to request a ballot for early voting by nonforwardable mail that is marked with the statement required by the postmaster to receive an address correction notification. If the application is returned undeliverable, the election commissioner or county clerk will take steps to contact the voter to update the voter's address.

The voter will be sent the application to request an early ballot automatically, until the voter asks to be removed, the voter's registration is canceled or the application is returned undeliverable and the election commissioner or county clerk is not able to contact the voter.

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**LB 643 (Lautenbaugh) Provide additional public records that may be withheld**

LB 643 allows records relating to initial accident reports received by law enforcement agencies in the course of reporting and investigating traffic accidents to be withheld from the public by the lawful custodian of the records.

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**LB 654 (Christensen) Provide filing requirements for presidential and vice-presidential candidates and prohibit presidential electors from voting for uncertified candidates**

LB 654 requires that candidates for President and Vice-President provide documentation that they meet the eligibility requirements in the United States Constitution. Such candidates will submit an affidavit to the Secretary of State along with supporting documentation by September 8 of the year of the election.

The affidavit will contain the following statement: I was born a citizen of the United States of America and was subject exclusively to the jurisdiction of the United States of America, owing allegiance to no other country at the time of my birth. On the day I was born, both my birth mother and birth father were citizens of the United States of America.

The bill outlines the various documents and affidavits required to demonstrate the candidate meets the eligibility requirements for President outlined in the US Constitution, including obtaining the age of 35, residing in the United States for 14 years, and being a natural born citizen of the United States.

The Secretary of State will determine and certify the candidates' constitutional eligibility on or before September 17<sup>th</sup>. The Secretary of State will only certify those candidates who have completed the affidavits and provided all required documentation. The bill also provides that a registered voter may appeal the certification determination to the District Court of Lancaster County.

Finally, the bill provides a criminal penalty for any presidential elector casting his or her Electoral College vote for a candidate who is not certified as constitutionally eligible.

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**LB 685 (Schilz) Change provisions of the Nebraska Visitors Development Act relating to the use of funds and the members of committees**

LB 685 provides a list of factors the governing body of the county and the visitors committee will consider in determining how to use the proceeds of the County Visitors Promotion Fund and the County Visitors Improvement Fund. The factors include, but are not limited to:

- the type of organization applying for funds
- the scope of the project
- the impact of the project
- the expected duration of the project
- the number of applications received, and
- if a grant is involved, the amount requested.

These factors will also be considered when making grants from the County Visitors Improvement Fund.

The governing body of the county and the visitors committee will also ensure that projects funded under the Nebraska Visitors Development Act will increase attendance at an event, increase stays in hotels, promote a county as a destination, and promote tourism.

The visitors committee in a county with a metropolitan class city will consist of the following seven members: two members from the governing body of the county; two representatives from the metropolitan hospitality association; one representative of a

convention and visitors bureau; one representative from the largest tourism attraction; and one representative of a metropolitan entertainment and convention authority.

The bill also changes the membership of visitors committees in other counties by adding members from either a representative of a convention and visitors bureau or a representative of a local chamber of commerce and industry.

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**LB 691 (Brasch) Provide requirements relating to purchasing biobased products by state government**

LB 691 requires the materiel division of the Department of Administrative Services and other state agencies to purchase biobased products in accordance with the biobased product preference program established by the materiel division as required under this bill.

The materiel administrator will adopt a policy of setting minimum biobased content specifications for awarding contracts. The materiel administrator may determine it is not possible for a biobased product to be purchased in accordance with the biobased product preference program if certain conditions exist such as the product not being available or the price being unreasonable.

Under the bill, a vendor is required to certify that the product meets the biobased content requirements for the designated item.

The materiel administrator will adopt rules and regulations that prescribe the procedure used to give preference to biobased products, the biobased product preference program, and other requirements.

The bill also provides that a state institution of higher education will purchase designated items in accordance with the procedures of the institution that are similar to those established by the materiel administrator.

Both the materiel administrator and the state institutions of higher learning are required to submit a report describing the number and types of biobased products purchased.

**RESOLUTION SUMMRIES: 2011 RESOLUTIONS DELIVERED TO THE  
SECRETARY OF STATE IN 2012**

**LR 19CA (Avery) Constitutional amendment to provide that a civil officer is liable to  
impeachment for misdemeanors in pursuit of office**

LR 19CA amends Article IV, section 5 of the Nebraska constitution to expand when a civil officer will be liable for impeachment.

Currently, this section of the constitution provides that civil offices may be impeached for any misdemeanor in office. LR 19CA adds any misdemeanor related to the election by which such officer was elected to the office.

The committee amendment replaces the original provision of the resolution. With the amendment, the constitution will be amended to provide that a civil officer of this state will be liable to impeachment for any misdemeanor in office or for any misdemeanor in pursuit of such office.

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**RESOLUTION SUMMARIES: 2011 RESOLUTIONS HELD IN  
COMMITTEE IN 2012**

**LR 2CA (Harms) Constitutional amendment to authorize county manager form of county  
government**

LR 2CA amends Article IX, section 4 of the Nebraska constitution to allow the Legislature to provide by law for a county manager form of county government in which county officers may be appointed. This form of government will be optional for each county and will occur only after a majority vote.

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**LR 123 (Cornett) Endorse the proposition that Taiwan participate in the International Civil  
Aviation Organization as an observer**

LR 123 provides that the Legislature endorse the proposition that Taiwan participate in the International Civil Aviation Organization as an observer.

The resolution also provides that the Legislature is supportive of all efforts to grant Taiwan official observer status at the United Nations Framework Convention on Climate Change.

**BILL SUMMARIES: 2012 BILLS ENACTED IN 2012**

**LB 719 (Price) Change records management provisions**

LB 719 makes several changes to the Records Management Act.

Currently, state agencies are allowed to impose a surcharge or convenience fee upon a person making a payment by credit card or charge card to the state agency. This bill provides that any such fee imposed by the state agency will have the force of law and will be honored by the credit card or charge card company. Any credit card or charge card company doing business in the state will not assess any fee or penalty against the state if the state imposed a surcharge or convenience fee as a percentage of the transaction. Current law only allows the surcharge or convenience fee to be applied when allowed by the credit card or charge card company.

The bill changes the language from “gateway” to “portal.” Portal is defined as the state's centralized electronic information system by which public records or electronic information and services are provided using electronic access.

The provision requiring that fees established by the State Records Board be terminated after an 18 month period unless enacted by the Legislature is eliminated.

The bill also provides the State Records Board will provide an annual report to the Legislature on its activities. Currently, the report is required to be provided quarterly.

Finally, the bill outright repeals three sections: Section 84-1205.04 deals with an outdated public bidding statute; Section 84-1205.06 deals with public records and is inconsistent with other public record laws; and Section 84-1223 deals with an outdated statute on micrographic production and processing.

The committee amendment removes the section in the bill regarding surcharge or convenience fees imposed by state agencies upon persons making a payment by credit card or charge card to the state agency. With the amendment, the language providing that any such fees imposed by the state agency will have the force of law and will be honored by the credit card or charge card company is eliminated.

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**LB 733 (Pirsch) Provide for electronic transmission and filing of documents under the Nebraska Uniform Limited Liability Company Act**

LB 733 allows the Secretary of State to provide for the electronic transmission and filing of documents under the Nebraska Uniform Limited Liability Company Act.

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**LB 735 (Schumacher) Permit governing bodies of community colleges and certain public power districts to hold meetings by videoconference or telephone conference**

LB 735 adds community college board to the list of public entities which can hold its public meetings by videoconferencing and telephone conference.

In addition to community colleges, the committee amendment adds public power districts and public power and irrigation districts to the list of entities that can hold its public meetings by videoconferencing and telephone conference.

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**LB 759 (Avery) Change petition circulation requirements**

LB 759 includes two provisions relating to petition circulators. The first provision removes the requirement that persons who circulate petitions be electors of the state, and replaces it with the requirement the circulator be 18 years of age or older. The provision requiring circulators to be residents, which is included in the definition of elector, was recently held to be unconstitutional.

The second provision of the bill requires the sponsor or principal circulator of a petition to provide each circulator with identification that will contain a unique number to that petition circulator. The identification will not contain the name or other personal information of the petition circulator.

The sponsor or principal circulator will maintain records of the name and address of each circulator along with the number assigned to each circulator. The sponsor or principal circulator will only make these records available for purposes of investigation upon request from the Secretary of State, the Attorney General, and law enforcement.

The committee amendment removes all provisions requiring the sponsor or principal circulator of a petition to provide identification to petition circulators.

With the amendment, the only provisions remaining in the bill are the ones that removes the requirement that petition circulators be electors of the state and replaces it with the requirement that the circulators be 18 years of age or older.

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**LB 766 (Price) Authorize the Adjutant General to make certain emergency expenditures**

LB 766 allows the Adjutant General to make expenditures of up to \$10,000 without a state of emergency proclamation when immediate hazardous material response is required.

Currently, the Adjutant General has the authority to expend up to \$10,000 without a state of emergency proclamation if aerial fire suppression is immediately required.

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**LB 772 (Smith) Change provisions relating to the payment of salaries for county board members**

LB 772 eliminates the requirement that county board members be paid monthly. With the bill, there are no requirements regarding how often board members will be paid.

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**LB 779 (Lautenbaugh) Provide for rental vehicles for use by state agencies**

LB 779 allows the transportation services bureau to rent passenger vehicles from a third party fleet for transporting state employees from one job location to another when it is determined that it is an economic advantage to the state.

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**LB 782 (McCoy) Require that reports submitted to the Legislature be submitted electronically**

LB 782 requires all reports submitted to the Legislature, including reports to Legislative standing committees and the fiscal office, be submitted electronically.

The bill also repeals several sections of law requiring the submission of reports whose date has passed.

The committee amendment delays the operative date until January 1, 2015 those sections of the bill dealing with reports filed by lobbyists and principals.

The amendment also allows the Clerk of the Legislature to establish requirements for the electronic submission, distribution, and format of reports required to be provided to the Legislature. The clerk may accept a report in written form only upon a showing of good cause.

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**LB 795 (Avery) Change provisions relating to applying for membership in veterans homes**

LB 795 allows a recognized veterans organization or a Nebraska veterans' home to receive an application for membership in a Nebraska veterans home, including coordinating the financial and medical information, and if necessary, providing an opinion on the applications validity. The organization or veterans' home will then forward the application to the Veterans' Home Board. Currently, only county veteran service officers are allowed to perform this function.

A recognized veterans organization is defined as: the American Legion, the American Ex-Prisoners of War, the Disabled American Veterans, the Military Order of the Purple Heart, the Paralyzed Veterans of America, the Veterans of Foreign Wars of the United States, the Vietnam Veterans of America and any other veterans organization recognized by the Director of Veterans' Affairs.

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**LB 819 (Price) Provide for the treatment of military medals as unclaimed property**

LB 819 amends the Uniform Disposition of Unclaimed Property Act to prohibit any military medals removed from a safe deposit box on which the lease has expired to be sold or otherwise disposed of. The military medals will be retained by the holder for the lessee of the box until reported and delivered to the State Treasurer. The holder will file a report with the State Treasurer and deliver the military medal for safekeeping by the State Treasurer.

The State Treasurer will hold and maintain the military medals until the original owner or heirs can be identified and the medals returned. The State Treasurer may designate a veteran's organization as the custodian of such medals until the original owner or heirs are located.

The committee amendment makes clarifying changes to the bill.

First, the committee amendment clarifies that the holder of the military medal will report the property to the State Treasurer on the same schedule as other abandoned property under the Uniform Disposition of Unclaimed Property Act.

Also, the bill provides that the State Treasurer will hold and maintain the military medals for ten years or until the original owner or their heirs can be identified. After ten years, the State Treasurer may designate a veteran's organization, an awarding agency, or a government entity as the custodian of the military medals. Once the military medals are turned over to an organization or entity, the State Treasurer will no longer be responsible for the safe keeping of the military medals.

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**LB 823 (Adams) Change powers and duties of county treasurers relating to the holding of certain school district funds**

LB 823 provides that if a school district has not filed an official bond or evidence of equivalent insurance coverage with the county treasurer, the county treasurer may hold funds collected for the school district until the bond or evidence of equivalent insurance coverage has been filed.

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**LB 858 (Avery) Change requirements and exceptions for certain state contracts**

LB 858 places additional requirements on state agencies contracting for services over \$25 million.

With this bill, an agency proposing to contract for services over \$25 million will submit to the materiel division of the Department of Administrative Services a copy of the proposed contract and a completed “proof of need analysis.”

The proof of need analysis will include: the reason for purchasing the service instead of using state employees; a review of the long term cost savings; an explanation of how the state agency will have adequate control mechanisms to ensure the services are provided pursuant to the terms of the contract; and a justification for entering into the contract if the contract will not result in a cost-benefit to the state.

The materiel division will certify the proof of need analysis by determining whether the analysis contains the information required and will report to the state agency within 30 days. If the division certifies the analysis, the agency may enter into the proposed contract. If the division does not certify the analysis, it will inform the state agency of the additional information required.

The state agency will file the proposed contract, proof of need analysis and proof of certification with the Legislative Fiscal Office.

Also included in the bill is a change to the child welfare exception for service contracts. The change allows an exemption for service contracts with direct providers of medical, behavioral, or developmental health services, child care, or child welfare services to an individual if the contract is under \$25 million. If it is in excess of \$25 million, the service contract will not be exempted from competitive bidding provisions and other provisions of the personal services contracts statutes.

The committee amendment makes several changes to the original bill.

First, the amendment adds language from LB 1159 providing that the purpose of these service contract provisions is to establish an open and fair process for selection of contractual services, using performance-based contracting methods to the maximum extent practicable.

With the committee amendment, state agencies will not enter into a proposed contract for services in excess of \$15 million until the state agency has submitted to the materiel division a copy of the contract and a proof-of-need analysis. The original bill required contracts in excess of \$25 million to complete this process.

The amendment also changes the exemption for service contracts with direct providers of medical, behavioral, or developmental health services, child care, or child welfare services. These child welfare contracts will be exempted from certain service contract provisions if the contract is \$15 million or less.

Finally, the amendment clarifies the duties of the materiel division when certifying the proof-of-need analysis. The division will certify receipt of a proof-of-need analysis and report the receipt of the analysis to the state agency no more than 30 days after receiving it. Certification of the proof-of-need analysis

means all of the information required for the proof-of-need analysis has been provided to the division by the state agency.

On Select File, LB 858 was amended to include the provisions of LB 1006. The amendment provides that priority given to blind persons for vending facilities will only be given if the product price in the bid submitted is comparable in price to the product price in the other bids for similar products sold in similar buildings or on similar property and all other components of the bid for a contract, except for any rent paid to the state, are found to be reasonably equivalent to the other bidders. The current language provides the priority is only given if the bid submitted is comparable to the other bids submitted and the qualifications and capabilities of the vendors are similar to other vendors.

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**LB 860 (Hansen) Change qualification and training requirements for truth and deception examiners**

LB 860 changes the Licensing of Truth and Deception Examiners Act.

The bill reduces from 150 to 60 the number of formal voice stress analysis classroom hours that is required for an applicant applying for a truth and deception examiner's license.

Current law requires an applicant for a truth and deception examiner's license to have completed a course of study at a training facility approved by the Secretary of State. The bill adds the National Institute for Truth Verification and the National Association of Computer Voice Stress Test Analysts as approved training facilities.

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**LB 869 (Janssen) Change provisions relating to the State Athletic Commissioner and change membership of the Athletic Advisory Committee**

LB 869 removes amateur boxing and amateur sparring matches or exhibitions from the jurisdiction of the State Athletic Commissioner.

The State Athletic Commissioner duties include issuing licenses to organizations that hold boxing, wrestling and mixed martial arts events and licensing physicians, referees, managers, matchmakers, and judges who are involved in these events.

LB 869 also removes the member from the Athletic Advisory Committee representing amateur boxing.

The committee amendment clarifies that for amateur events, the State Athletic Commissioner may issue an annual license for conducting such events to any club, association, or organization. Current law allows the State Athletic

Commissioner to issue licenses for amateur events only to nonprofit clubs and organizations.

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**LB 878 (Wallman) Change election calendar, vacancy, ballot, and counting machine provisions**

LB 878 changes several provisions of the Election Act.

First, the bill changes the date the Secretary of State publishes the official election calendar from December 1 to November 1 prior to the statewide primary election.

The bill requires the Secretary of State to conduct a special election when one-half or more members of a city council under a city manager plan or a school district are vacant. The current requirement for the Secretary of State to conduct a special election is a majority of the seats are vacant.

The bill clarifies that the statewide primary election ballot will contain the name of candidates who have filed candidate forms and candidates for the President of the United States who are presented by petition or are generally advocated or recognized as candidates in the national news media.

Directors of reclamation districts are removed from the list of offices that automatically advance in the primary election because the law already provides that these offices appear only on the general election ballot.

Finally, the bill repeals two sections of statute dealing with custodians of voting systems (32-1044) and instructional meetings on vote counting devices (32-1045).

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**LB 880 (Pahls) Provide duties relating to reducing costs and adopting modern methods of state and local records management**

LB 880 amends the State Records Management Act to require the administrator and the State Records Board to reduce the cost and modernize the process of maintaining, retaining, and preserving public records.

The bill also requires state agencies, departments, the legislative and judicial branches, and political subdivisions to establish and maintain cost-effective and modern record keeping activities and to strive to reduce the costs to manage record retention.

Finally, the bill outright repeals section 84-1205.04 dealing with public bidding of certain contracts.

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**LB 936 (Karpisek) Change provisions relating to termination of the township board**

Current law allows a county board of supervisors to terminate a township board if the township board has become inactive. If the township board has become inactive, the board holds a public hearing on the issue of terminating the township board.

If no appointment to the township board has been made within 30 days after the hearing, the county board adopts a resolution to terminate the township board. LB 936 provides that the resolution will state the effective date of the termination. Current law provides the terminations will occur on the following June 30, or if the resolution is adopted on or after June 1 but before June 30, the township board terminates on the following July 31.

The committee amendment adds the emergency clause to the bill.

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**LB 1035 (Sullivan) Change political party provisions and vote canvassing procedures and provide for automatic nomination of airport authority board members**

LB 1035 adds airport authority board members to the list of candidates whose names do not appear on the primary election ballot and are automatically nominated candidates for the general election. This “automatic advancement” occurs if there are not more than two candidates for each position to be filled.

The committee amendment contains the provisions of two bills, LB 757 and LB 966.

LB 757

The provisions of LB 757 change the requirements of placing a candidate for a partisan office on the primary election ballot or filing as a partisan candidate.

No person is allowed to be placed on the primary ballot of a political party unless he or she is a registered voter of the party and at one of the two immediately preceding statewide general elections: a) a candidate nominated by the political party polled at least 5% of the entire vote in a statewide race or b) by a combination of candidates for a combination of districts that encompass the entire state, polled at least 5% of the vote in each of their respective districts.

The allowance of county, city and district parties is eliminated. Also eliminated is section 32-718 dealing with new political parties for congressional districts, counties or cities.

LB 966

The provisions of LB 966 require the county canvassing board to provide a record of the correct returns in all precincts to the election commissioner or county clerk either in a ledger or by using a computer printout. Current law only provides for entering the returns into a permanent ledger.

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**LB 1053 (Louden) Create Nebraska Tourism Commission and transfer powers and duties from the Travel and Tourism Division of the Department of Economic Development**

LB 1053 creates the Nebraska Tourism Commission. The commission will consist of one member appointed from each tourism region. The members are appointed by the Governor with the approval of the Legislature.

The duties of the commission include: administering the Nebraska Visitors Development Act; appointing an executive director; employing personnel; and preparing and approving a budget.

Currently there exists the Travel and Tourism Division of the Department of Economic Development. Under this bill, that division is eliminated and all personnel and property from that division is transferred to the Nebraska Tourism Commission.

The Travel and Tourism Division Advisory Committee is also eliminated and its duties given to the commission. These duties include the development of a statewide strategic plan to cultivate and promote tourism in Nebraska.

The bill was amended on Select File. The amendment designated the members of the Nebraska Tourism Commission including representatives from: the Game and Parks Commission; the Nebraska Travel Association; the Nebraska Hotel and Motel Association; a tourism attraction that records at least 2000 out of state visitors per year; the Nebraska Association of Convention and Visitors Bureau; the Western Nebraska Tourism Coalition; a resident in eastern Nebraska and is employed by a business that derives a majority of its revenue from out-of-state visitors; the Central Nebraska Tourism Partnership; and a business that derives a majority of its revenue from out-of-state visitors. The amendment also included an emergency clause and an operative date of July 1, 2012.

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**LB 1101 (Wightman) Change provisions relating to election of county assessors**

Currently, a county board may, by resolution, reassume the duties and authority of the county assessor after having given that assessment authority to the Property Tax Administrator. After the resolution, the county board appoints a qualified individual to the position of county assessor. The appointed assessor continues to perform the county assessor's duties until the assessor is elected at the next election. LB 1101 removes the phrase "at the next election." With the change, all county assessors will be elected on the same election cycle.

The bill has an emergency clause.

**LB 1116 (Flood) Change Nebraska Capitol Commission membership provisions**

LB 1116 replaces the State Court Administrator with the Chief Justice of the Supreme Court on the Nebraska Capitol Commission.

In the absence of the Chief Justice, he or she may designate the State Court Administrator as his or her representative. The representative of the Chief Justice will have full voting privileges for the meetings he or she is in attendance.

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**LB 1140 (Mello) Provide for licensure instead of registration under the Professional Landscape Architects Act**

LB 1140 prohibits any person from engaging in the practice of professional landscape architecture unless he or she is licensed under the Professional Landscape Architects Act. Current law requires a person to be registered under the Act.

Any person holding a certificate of registration under the Act on the effective date of this bill will be deemed to be duly licensed until the expiration of the certificate.

Each applicant for licensure as a professional landscape architect will complete an application that includes:

1. Proof that the applicant has met the eligibility standards set by the State Board of Landscape Architects in rules and regulations in consultation with the Council of Landscape Architectural Registration Boards;
2. Successful passage of a written or electronic examination in landscape architecture; and
3. Being of good character.

Current requirements, which are eliminated in the bill, include graduation from a four year college in a course of study in landscape architecture and practical experience in the field.

No person is allowed to practice as a professional landscape architect unless he or she has been issued a license under the Professional Landscape Architects Act.

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**LB 1141 (McGill) Change provisions relating to reimbursement of travel expenses for Nebraska National Guard members**

LB 1141 requires active or retired officers or enlisted persons of the National Guard to be reimbursed for travel expenses in accordance with the Joint Federal Travel Regulations when ordered to active service of the state.

Also, for advice, counsel, duties or service to the Governor or Adjutant General in pay status, an officer or enlisted person will be reimbursed for travel expenses in accordance with the Joint Federal Travel Regulations.

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**BILL SUMMARIES: 2012 BILLS ON SELECT FILE IN 2012**

**LB 999 (Price) Authorize the display of an honor and remember flag at public buildings**

LB 999 allows an honor and remember flag to be displayed on or near the State Capitol, the Governor's Mansion, or any courthouse, city hall or schoolhouse upon the request of a veterans organization, or any other group or person.

The honor and remember flag is defined as a flag recognized by internationally recognized veterans organizations as commemorating and honoring the members of the US Armed Forces who lost their lives in the line of duty.

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## **BILL SUMMARIES: 2012 BILLS ON GENERAL FILE IN 2012**

### **LB 720 (Lautenbaugh) Change membership provisions and provide salaries for Class V school districts**

LB 720 reduces the Class V board of education from twelve to five members.

The twelve numbered districts in existence on the effective date of this act will remain unchanged until January 7, 2013.

The term of office of each member currently serving on the board expires on the first Monday of January 2013. Any eligible voter may file a candidate filing form on or before August 1, 2012 for placement of his or her name on the general election ballot in November 2012.

The bill also provides that no person will be eligible to serve as a member of the board of education of a Class V school district for four years next after the expiration of two consecutive terms regardless of the district represented.

The vacancy provisions for Class V school district board members is also changed. With this bill, a vacancy will be filled by appointment for the remainder of the unexpired term. Currently, if a vacancy occurs before February 1 preceding the general election in the middle of a term, the appointee serves until a candidate is elected at the following general election for the remainder of the unexpired term. If the vacancy happens after February 1, the appointee serves for the remainder of the term.

Each member of a Class V board of education will receive \$20,000 a year in salary.

The bill eliminates the nonvoting student member from the board of Class V school districts.

The bill includes an emergency clause.

The committee amendment strikes the original sections of the bill and replaces them with the following provisions:

With the committee amendment, the board of education of a Class V school district will consist of seven members.

The term of office of each member currently serving on the board expires on the first Monday of January 2013.

Any eligible voter may file a candidate filing form on or before August 1, 2012 for placement of his or her name on the general election ballot in November 2012 in the district in which he or she resides.

At the statewide general election in November 2012, members representing odd-numbered districts will be elected for four-year terms and members representing even-numbered districts will be elected for two-year terms.

The twelve numbered districts in existence on the effective date of this act will remain unchanged until January 7, 2013.

The provisions in the original bill regarding term limits and salary for the Class V board members are eliminated in the committee amendment.

The amendment includes an emergency clause.

During General File debate, a motion was made to recommit LB 720 to the Government Military and Veterans Affairs Committee. The motion was approved.

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**LB 953 (Fulton) Create state fleet card programs and a fund**

LB 953 creates state fleet card programs. The programs will be administered separately by the University of Nebraska and by the Department of Roads. The Department of Roads will administer the program on behalf of state government, other than the University of Nebraska. Any state official, agency or political subdivision may use the state fleet card for and on behalf of the State of Nebraska.

Rules and regulations may be adopted and promulgated as needed for the operation of the state fleet card programs.

The State Treasurer will determine the type of fleet card or cards utilized in the program as well as contract with financial institutions capable of operating a fleet card program on behalf of the state.

The bill defines fleet card as a payment card used for gasoline, diesel and other fuels. The cards may also be used to pay for vehicle maintenance and expenses.

Vendors accepting a state fleet card will obtain authorization for all transactions in accordance with instructions from the program administrator.

The State Fleet Card Distributive Fund is created. All rebates received by the state from the program will be credited to the fund. The rebates will be distributed by the State Treasurer to the agencies and political subdivisions based on volume spent and contract terms.

The committee amendment makes several clarifying amendments to the bill.

The amendment clarifies that the Department of Roads and the University of Nebraska may adopt rules and regulations for the operation of the state fleet programs. It also clarifies the Department of Roads and the Department of Roads will each designate a program administrator.

The amendment provides the state fleet card may be used for equipment maintenance, in addition to fuel purchases and vehicle maintenance.

Finally, the amendment adds an emergency clause to the bill.

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**LB 971 (Harms) Merge the Department of Labor into the Department of Economic Development**

LB 971 merges the Department of Labor into the Department of Economic Development.

The bill has an emergency clause and an operative date of July 1, 2012.

On and after July 1, 2012, positions of employment in the Department of Labor are transferred to the Department of Economic Development. All items of property, real and personal, including office furniture, books and records of the Department of Labor become the property of the Department of Economic Development.

The committee amendment requires the Director of Economic Development to consult with representatives from the workforce development and economic development sectors to develop a strategic plan for the department that identifies the main purpose of each program and benchmarks for improving performance on the key goals. The department will report to the Governor and the Legislature on the progress of these key goals in September 2012, March 2013, and September 2013.

The committee amendment also transfers the responsibility for the administration and enforcement of the Boiler Inspection Act, the Conveyance Safety Act, and the Nebraska Amusement Ride Act from the Department of Economic Development to the State Fire Marshal on July 1, 2013.

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**LB 1006 (Fulton) Change bidding provisions relating to vendors who are blind or visually impaired**

Currently, blind or visually impaired persons are authorized to operate vending facilities in any federal owned or state owned building. With vending facilities in any state-owned building, priority is given to blind persons, except for Game and Parks Commission or the University of Nebraska.

LB 1006 provides that the priority will only be given if the product price in the bid submitted is comparable in price to the product price in the other bids submitted for products sold in similar buildings or on similar property and the qualifications and capabilities of the vendors bidding the contract are found to be

similar to other bidders. The current language provides the priority is only given if the bid submitted is comparable to the other bids submitted and the qualifications and capabilities of the vendors are similar to other vendors.

*Portions/Provisions of LB 1006 were amended into LB 858.*

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**LB 1023 (Avery) Provide for the waiver of education-related fees for dependents of veterans**

Currently, the University of Nebraska, the state colleges, and the community colleges waive the cost of tuition for a dependent of a veteran. LB 1023 requires these colleges and universities to waive all fees remaining due after subtracting awarded federal financial aid grants and state scholarships and grants for dependents of a veteran.

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**LB 1070 (Wightman) Change eligibility provisions for petitioning on the general election ballot**

LB 1070 eliminates language that requires registered voters, in order to be eligible to petition on to the general election ballot, to be registered to vote with a party affiliation on or before March 1 in the calendar year of the general election.

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## **BILL SUMMARIES: 2012 BILLS HELD IN COMMITTEE IN 2012**

### **LB 717 (Council) Change school board election, membership and salary provisions**

For school boards taking office on or after January 1, 2012, LB 717 requires that all school boards and boards of education be composed of either three or five members.

Each candidate for election to a school board or board of election is required to be a taxpayer in and a resident of the school district. The candidates will be nominated at the statewide primary election and elected at the general election. The school boards will be elected on an at-large basis until the school district establishes subdistricts.

The bill outlines how the terms of the school board members or board of education members will be staggered when there is a change in the number of school board members or if there is a reorganization of the school district.

For members taking office on or after January 1, 2013, no member will serve more than a total of eight calendar years, whether or not such years are consecutive. Each school board member or board of education member will receive a salary of \$20,000 a year.

The terms of all members serving on school boards or boards of education on the effective date of this act will terminate on the date the terms of members elected to serve on January 1, 2013 begin.

The bill has an emergency clause.

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### **LB 736 (Schumacher) Require provision of secret-ballot envelopes**

LB 736 provides for secret-ballot envelopes and return envelopes to be used for voting provisional ballots, ballots for early voting, special elections by mail, and ballots for new or former residents.

Secret-ballot envelopes are defined to mean an envelope that is provided to the voter that bears no characteristics that would identify the voter. The voter may place his or her voted ballot into the secret-ballot envelope before placing it in the return envelope to return the ballot.

Return envelopes are defined to mean the envelope delivered to a registered voters in which they place the secret-ballot envelope and accompanying materials.

The Secretary of State is required to adopt rules and regulations regarding the procedure of removing secret-ballot envelopes from return envelopes after verification of information on the return envelope; removing ballots from secret-ballot envelopes and return envelopes if a voter did not use the secret-ballot envelope; and counting the ballots in a manner that does not impair the anonymity of the voter.

This bill becomes operative on January 1, 2013.

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**LB 754 (Avery) Require reporting of electioneering communication**

LB 754 requires any person who makes an electioneering communication in the amount of more than \$250 to file a report of the electioneering communication with the Nebraska Accountability and Disclosure Commission (commission). These reporting requirements are similar for those who make an independent expenditure.

Similarly, if a corporation, labor organization or business association makes an electioneering communication with a value of more than \$250, it will file a report with the commission including the nature, date, and value of the electioneering communication and the name of the candidate identified in the electioneering communication.

Electioneering communication is defined to mean any communication that: refers to a clearly identified candidate; is publicly distributed in the 30 days before an election; and is directed to the electorate of the office sought by the clearly identified candidate.

Electioneering communication does not include: a contribution or expenditure; a communication by media; a candidate debate; a communication while the Legislature is in session about a specific bill; a voter guide; or a communication by a membership organization to the organization's members.

Also defined in the bill are the terms "clearly identified candidate" and "voter guide."

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**LB 755 (Avery) Require the Nebraska Accountability and Disclosure Commission to file reports regarding legislative conflicts of interest**

LB 755 requires the Nebraska Accountability and Disclosure Commission (NADC) to review each conflict of interest statement filed by a senator to determine whether it meets the statutory definition of conflict of interest. The NADC will file their opinion within a reasonable amount of time after receipt of the statement with the Clerk of the Legislature. The Clerk will enter an acknowledgment of the report in the Legislative Journal.

Under this bill, a senator will be able to vote on an issue even if the NADC determines there is a conflict.

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**LB 757 (Avery) Change political party provisions**

LB 757 changes the requirements of placing a candidate for a partisan office on the primary election ballot or filing as a partisan candidate.

No person is allowed to be placed on the primary ballot of a political party unless he or she is a registered voter of the party and at one of the two immediately preceding statewide general elections: a) a candidate nominated by the political party polled at least 5% of the entire vote in a statewide race or b) by a combination of candidates for a combination of districts that encompass the entire state, polled at least 5% of the vote in each of their respective districts.

The bill eliminates language allowing county, city and district parties. The bill outright repeals section 32-718 dealing with new political parties for congressional districts, counties or cities.

*Portions/Provisions of LB 757 were amended into LB 1035.*

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**LB 758 (Avery) Change provisions relating to gifts given by a lobbyist or principal**

Currently, state law prohibits the Director of the Lottery Division or any employee of the lottery division from receiving gifts from any entity contracting with the state to supply equipment for use by the division or any applicant for a contract to act as a lottery game retailer.

Similarly, no person or organization contracting to supply equipment for use of by the division, an applicant for a contract as a lottery game retailer or a lottery game retailer is allowed to give the Tax Commissioner, the Director of the Lottery Division or any employee of the division any gifts.

The definition of gift excludes food and beverage provided for immediate consumption and admission to a facility or event. LB 758 removes those two exceptions to the definition of gift thereby prohibiting such gifts under this section.

The bill also eliminates the language allowing state officials and employees and their immediate families to accept admission to a state- owned facility or a state- sponsored industry or event given by an agency, political subdivision or post-secondary education institution regardless of value.

Section 49-1492.01 dealing with the reporting of gifts of admission to a state-owned facility or state-sponsored industry or event is outright repealed.

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**LB 765 (Krist) Change bidding requirements relating to contracts with providers of certain health and social services as prescribed**

LB 765 requires the Director of Health and Human Services to conduct a cost-benefit analysis of any contract with direct providers to individuals of medical, behavioral, or developmental health services, child care, or child welfare services when the contract is valued over \$25 million.

Also included in the bill is a change to the child welfare exception for service contracts. The change allows an exemption for service contracts with direct providers of medical, behavioral, or developmental health services, child care, or child welfare services to an individual if the contract is under \$25 million.

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**LB 767 (Howard) Require records of dates and hours of work for state officers and employees**

LB 767 requires that any person who receives a salary or wage paid by a state warrant or who receives state insurance coverage will have their dates and hours of work recorded by a system prescribed by the Director of Personnel.

The system prescribed by the bill includes a records and statistical reports of general data on all employees, including current salary levels, dates and hours of work of employees and other information that may be required.

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**LB 792 (Mello) Change provisions relating to personal services contract review and approval duties of the Director of Administrative Services**

LB 792 provides that any contract for personal services will require the Director of Administrative Services to review and approve any such contract.

With this bill, an agency is required to submit the following information to DAS: the proposed contract, a review of the long-term savings; the measurable goals of improving the service; and an assessment of the feasibility of alternatives. The agency must also submit a plan of assistance to the state employees will be displaced.

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**LB 813 (Karpisek) Prohibit counties, cities and villages from imposing credentialing requirements**

Under LB 813, no county, city or village is authorized to require any person to be credentialed to conduct business or engage in any profession or occupation within its jurisdiction.

Credential includes license, certificate, registration, permit, and any other approval required by the state to engage in a specific profession or occupation. It does not include general approval required of businesses such as a sales and use tax collection permit or a business or occupation tax certificate.

This does not apply to the licensing of plumbers or the certification of air conditioning distribution contractors.

**LB 827 (Dubas) Require mediation for budget disputes between a county board and a county officer**

Current law provides that a county board, in its budget-making duties, shall not eliminate or unduly hinder a county officer in his or her statutory duties. LB 829 requires the county officer and county board to participate in mediation if a county officer decides to challenge the board's decision regarding its budget-making duties.

The county officer will not challenge the board's decision in court unless the mediator concludes that further efforts will not result in a resolution of the issue. The cost of the mediation will be shared by the board and the officer.

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**LB 885 (Haar) Provide powers and duties to the state building division relating to the energy efficiency of state facilities**

LB 885 requires the state building division of DAS to ensure all state-owned, state-occupied, and vacant facilities receive an energy performance rating from the Environmental Protection Agency or an equivalent rating from a nationally recognized energy usage rating system.

A facility receives an energy performance rating based on the results of the Commercial Building Energy Consumption Survey conducted by the United States Department of Energy's Energy Information Administration.

The state building division will report the ratings annually to the Governor and Clerk of the Legislature.

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**LB 923 (Mello) Adopt the Nebraska Buy American Act**

LB 923 requires each contract for construction, repair or improvement made by a state agency will contain a provision that the iron, steel, and manufactured goods used or supplied in the performance of the contract will be manufactured in the United States.

The bill outlines several exceptions to this including: inconsistency with public interest; materials are not produced in sufficient quantity in the US; and 10% increase of cost.

If the head of a state agency applies for a waiver for this requirement, the bill outlines several required steps, such as publishing in a newspaper of general circulation the justification for the waiver, providing for public comment, and considering all comments received in evaluating the waiver request.

Finally, the bill provides that if the head of a state agency determines that 1) a foreign country is a party to an agreement with the US; 2) pursuant to that agreement the head of an US agency has waived the requirements of this bill; and 3) the foreign country

has violated the terms of the agreement by discriminating against products that are produced in the US and covered by the agreement, then the exceptions outlined in the bill will not apply to products produced in that foreign country.

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**LB 934 (Karpisek) Provide for appointment of all election commissioners by the county board**

LB 934 changes how election commissioners in counties having a population of more than one hundred thousand inhabitants are appointed. With this bill, those election commissioners will be appointed by the county board after the expiration of the term of each election commissioner serving on the effective date of this act.

Currently, election commissioners in counties having a population of more than one hundred thousand inhabitants are appointed by the Governor.

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**LB 944 (McCoy) Prohibit campaign expenditures for personal services of elective officeholders**

LB 944 prohibits a committee as defined in the Nebraska Political Accountability and Disclosure Act, from expending funds for the payment of personal services for campaign services performed by a holder of an elective office.

Current law allows committees to expend funds on personal services for campaign services. This bill provides that those campaign services cannot be performed by an elective officer if the elective officer is paid.

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**LB 966 (Karpisek) Change vote canvassing procedures**

LB 966 allows the county canvassing board to enter all correct returns in the precincts in a permanent ledger or attach a computerized printout of the returns in the permanent ledger.

*Portions/Provisions of LB 966 were amended into LB 1035.*

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**LB 975 (Smith) Adopt the Fair Bidding Act**

LB 975 requires a governmental unit to ensure that any public contract, procurement of services under a public contract, or requests for proposals or bid specifications do not contain:

1. a term that requires, prohibits, encourages, or discourages bidders, public contractors, or subcontractors from entering into collective-bargaining agreements relating to construction under the public contract; or
2. a term that discriminates against bidders, public contractors, or subcontractors based on the status as a party or non party to, or the willingness or refusal to enter into, a collective-bargaining agreement relating to construction under the public contract.

The bill prohibits a governmental unit from awarding a public benefit that is conditioned upon a requirement that the recipient include a term described above. Similarly, a governmental unit is prohibited from placing any of the terms described above in bid specifications, or other controlling documents relating to construction.

The bill defines the terms: bidder, collective-bargaining agreement, construction, governmental unit, public benefit, public contract, public contractor, real property, and subcontractor.

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**LB 1013 (Mello) Change the Administrative Procedure Act and provide for attorney's fees and costs as prescribed**

LB 1013 amends the Administrative Procedure Act to prohibit an agency from issuing, utilizing, or enforcing any guideline, bulletin, manual, instruction, standard of general applicability or other action that is a rule or regulation unless it has been approved by the Governor and filed with the Secretary of State after a hearing has been held.

The bill changes the definition of “rule or regulation” to include statements, policies, instructions or standards of general applicability issued by an agency.

Finally, the bill provides attorney's fees and court costs when a rule or regulation is declared invalid by a court because it was adopted without compliance with statutory procedures.

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**LB 1014 (Conrad) Authorize the Auditor of Public Accounts to conduct a performance audit of the Department of Roads**

LB 1014 authorizes the Auditor of Public Accounts to initiate an independent performance audit of the Department of Roads in 2012. The performance audit will be conducted in accordance with generally accepted auditing standards for performance audits.

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**LB 1024 (Avery) Provide exceptions to the State Personnel System**

LB 1024 exempts from the State Personnel System all deputy agency heads.

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**LB 1025 (Avery) Prohibit accepting gifts and contributions by Public Service Commission members**

LB 1025 prohibits any candidate for or member of the Public Service Commission from accepting a gift or contribution from:

1. a person who is engaged in a business which applies to and receives its authority to conduct business in Nebraska and is subject to oversight by the commission; or
  2. an officer, director, partner, or member of such a business.
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**LB 1060 (Avery) Change procedures for adoption and promulgation of rules and regulations**

LB 1060 amends the Administrative Procedures Act to change the type of notice that agencies are required to provide to the public when proposing a change to a rule or regulation. The bill requires agencies proposing changes to their rules or regulations to submit their notices of public hearing 35 days prior to the hearing to the Secretary of State. The Secretary of State will, at least 30 days prior to the hearing, publish the notice on their website.

The bill eliminates the requirement that these notices be published in a newspaper having general circulation in the state.

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**LB 1076 (Karpisek) Change requirements for copies of public records and speaking at public meetings**

LB 1076 makes several changes to both the public records statutes and the Open Meetings Act.

In regards to public records, the bill provides that a public body or custodian of a public record is not required to copy, produce, or generate all public records created within a certain time frame unless the request specifies a specific subject matter. The

bill also clarifies that a requester of a public record is allowed both access and copies of public records, if requested, and copying equipment is reasonably available.

In regards to open meetings, the bill specifies that the public has the right to speak on agenda items. The bill also outlines the procedure for a citizen to recommend subjects for discussion as possible agenda items at future meetings. Each public body will have a form for citizens to request possible agenda items. Within ten business days of receiving the form, the secretary or other designee of the public body will send the citizen a written statement regarding the status of the request.

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**LB 1094 (Harms) Provide for an election in certain counties to require elections by mail**

LB 1094 allows counties with 10,000 or fewer inhabitants to decide whether to hold all elections by mail. The process may start in two ways: with the county board passing a resolution or upon petition of registered voters equal to 10% of the total votes cast for Governor at the preceding election. In either case, the question will be placed before the voters in the county.

If the process is started by a petition, the registered voters signing the petitions will be distributed as to include 10% of the registered voters of each of one-half of the voting precincts in the county.

A majority of all votes cast in the affirmative on the question of whether to hold all elections by mail will be necessary for all elections to be held by mail.

If the vote is in the affirmative, the county will apply to the Secretary of State and include in the application a written plan for conducting elections by mail. If the Secretary of State finds deficiencies in the application, he or she will notify the county clerk and work with the county clerk to resolve the deficiencies.

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**LB 1159 (Krist) Provide additional requirements and duties relating to state contracts for services valued at twenty-five million dollars or more**

LB 1159 allows state agencies to propose contracts for services over \$25 million but only the materiel division may enter into such contracts. Only the materiel division has the authority to legally bind the state by entering into a contract for services. The materiel division will not enter into a contract over \$25 million dollars until the state agency has submitted a requisition form, including the proof-of-need analysis.

The proof-of-need analysis will include: a description of the service, the reason for purchasing services and not using state employees, a review of long-term costs, identification of the specific employee who will monitor the contract, an assessment of feasible alternatives, and a justification for entering into the contract if it will not result in cost savings.

The materiel division will review the proof-of-need analysis and determine the level of risk to the state and to any individual served by the contract. The materiel division will ensure compliance of the contract and safeguard the interests of the state.

For service contracts valued at more than \$50,000 but less than \$25 million dollars, the bidding may be performed at the state agency level if the state agency employs an individual who has been trained as a contracting officer by the Department of Administrative Services. The bill also outlines additional requirements for services contracts valued at this level.

Any state agency entering into a contract for services will develop a performance work statement that: describes the work of the contract for services in terms of required results rather than the process by which the work will be accomplished; enables assessment of work performance against performance standards and relies on performance standards and financial incentives to encourage contractors to develop innovative and cost-effective methods.

Finally, the bill repeals the service contract statutes dealing with service contracts that replace state employees, 73-301 to 73-307.

*Portions/Provisions of LB 1159 were amended into LB 858.*

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**LB 1170 (Christensen) Change provisions of separate segregated political funds under the Nebraska Political Accountability and Disclosure Act**

LB 1170 prohibits a separate segregated political fund from receiving a contribution or making an expenditure without first: providing potential contributors with information about the use of the fund, including a list of the prior year's expenditures; and receiving annually written authorization from contributors to such fund to use the voluntary contribution for engaging in political activities.

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**LB 1171 (Christensen) Adopt the Nebraska Balance of Powers Act and create the Committee on Nullification of Federal Laws**

LB 1171 creates the Nebraska Balance of Powers Act. The Act will serve as notice and a demand to the federal government to cease and desist any and all activities outside the scope of the federal government's constitutionality designated powers that diminish the balance of powers.

Under the Act, the US Congress and the federal government are denied the power to bind the states under foreign statute, court order or executive order, other than those duly ratified by the US Congress as a treaty if the treaty does not violate the constitution of Nebraska or the United States.

LB 1171 also creates the Committee on Nullification of Federal Laws. The Speaker of the Legislature will serve as chair. Six members of the legislature from each congressional district will also serve.

The committee will recommend and call for a vote to nullify federal laws or regulations that are outside the scope of the powers delegated by the people of Nebraska to the federal government. Upon the committee's recommendation for nullification, the Legislature will vote on whether to nullify the federal action within 30 days after the committee's recommendation.

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**BILL SUMMARIES: 2012 BILLS INDEFINITELY POSTPONED IN 2012**

**LB 775 (Brasch) Change disclosure provisions relating to the Auditor of Public Accounts**

LB 775 allows a local, state, or federal law enforcement agency in connection with an investigation and independent contractors whose expertise is utilized by the Auditor of Public Accounts during an audit to have access to working papers and audit files prepared for a specific audit. Currently, working papers are only disclosed to a county attorney or Attorney General in connection with an investigation or to the Legislative Performance Audit Committee.

The bill also provides that any independent contractor who knowingly divulges any record or document not permitted to be disclosed under law is subject to criminal penalties.

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**LB 1157 (Larson) Change late filing fee provisions under the Nebraska Political Accountability and Disclosure Act**

LB 1157 changes when the Nebraska Accountability and Disclosure Commission may reduce late filing fees.

Currently, the commission may reduce the amount of a late filing fee and waive interest due on the fee upon the showing of: no intent to file late; the person has not been required to pay late filing fees for two years; a reduction of the late fees and waiver of interest do not frustrate the purposes of the Nebraska Political Accountability and Disclosure Act; and the late filing shows that less than \$5000 was raised, received or expended during the reporting period.

LB 1157 removes the provision that less than \$5000 was raised, received or expended during the reporting period from the list of factors to consider when reducing late filing fees.

**LEGISLATIVE RESOLUTIONS: 2012 RESOLUTIONS ADOPTED IN 2012**

**LR 473 (Avery) Approve the gift of materials, labor, and in-kind services from the Norfolk Veterans' Home Heroes Park Foundation to the Norfolk Veterans' Home Heroes Park Project**

The Norfolk Veterans Home Heroes Park Foundation offered the Norfolk Veterans Home Heroes Park Project a gift of materials, labor and in-kind services of \$450,000. This gift of materials, labor and in-kind services will include improvements of grading and all soil preparation work for the Norfolk Veterans Home Heroes Park Project, as well as over seeding of area to prevent soil erosion.

By adopting the resolution, the Legislature approved this gift.

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**LEGISLATIVE RESOLUTIONS: 2012 RESOLUTIONS HELD BY THE COMMITTEE IN 2012**

**LR 371 (McCoy) Request for a federal amendments convention limited to amending the Constitution of the United States providing that an increase in the federal debt requires certain approval**

LR 371 provides that the Legislature apply for an amendments convention to be called for the purpose of proposing an amendment that will provide that an increase in the federal debt requires approval from a majority of the legislatures of the separate states.

The amendments convention will be entirely focused upon the subject of proposing for ratification of an amendment to the United States Constitution providing that an increase in the federal debt requires approval from a majority of state legislatures.

This application will constitute a continuing application in accordance with Article V of the United States Constitution until at least two-thirds of the legislatures of the several states have made application for an equivalently limited amendments convention.

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**LR 381 (Fulton) Recognize the achievements of Colonel Harry Francis Cunningham on the eightieth anniversary of the completion of the State Capitol and request the Lincoln City Council rename a portion of "J" Street in his honor**

LR 381 provides that the Legislature deem it fitting and appropriate that the achievements and legacy of Colonel Harry Francis Cunningham be solemnly recognized on the eightieth anniversary of the completion of the State Capitol and hereby requests that the Lincoln City Council resolve to rename a portion of "J" Street adjacent to the Capitol's east entry in honor of Colonel Cunningham.

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## **LIST OF INTERIM STUDIES (IN ORDER OF PRIORITY)**

- LR 502 Interim study to examine the issues surrounding governmental transparency
- LR 561 Interim study to examine the feasibility of a merger between the Department of Economic Development and the Department of Labor, as proposed in LB971
- LR 464 Interim study to examine the procurement procedures of governmental units with respect to contracts for publicly funded construction projects
- LR 496 Interim study to examine the issues surrounding the adoption and promulgation of rules and regulations
- LR 486 Interim study to examine the issues surrounding state procurement policies
- LR 512 Interim study to examine issues under the jurisdiction of the Government, Military and Veterans Affairs Committee
- LR 503 Interim study to examine issues surrounding project labor agreements

**GOVERNMENT, MILITARY & VETERANS AFFAIRS COMMITTEE  
INDEX OF BILLS**

**ONE HUNDRED SECOND LEGISLATURE  
SECOND SESSION – 2012**

<b>LB/LR</b>	<b>Introducers</b>	<b>One-Liners</b>	<b>Hearing Date</b>	<b>Committee Disposition</b>	<b>Bill Status</b>	<b>Comments</b>
LB 14	Wightman, Krist	Change fees received by registers of deeds, county clerks, district court clerks and Secretary of State.	1/19/11	General File with AM1954	Approved by Governor on 4/17/12	<b>Speaker priority bill</b>
LB 21	McCoy	Change provisions relating to ballots cast by presidential electors.	2/23/11	Held in Committee	Held in Committee	
LB 37	Harms, Mello	Provide requirements for access to information for government audits	1/20/11	Held in Committee	Held in Committee	
LB 97	Karpisek	Require Secretary of State to provide uniform guidelines for election workers.	1/21/11	Held in Committee	Held in Committee	
LB 116	Avery, Karpisek, Loudon, et al	Provide for use of Veterans' Aid Income Fund for the state veteran cemetery system.	1/20/11	Held in Committee	Held in Committee	
LB 117	Avery, Karpisek, Price	Change publication requirements for constitutional amendments and initiative and referendum measures.	1/21/11	Held in Committee	Held in Committee	
LB 161	Karpisek, Avery, Wallman	Change provisions relating to recounting votes.	1/21/11	General File with AM264	General File with AM264	<b>Bill failed to advance from General File. Senator Lautenbaugh motion to bracket until 6/8/11 (MO13) – Prevailed</b>
LB 168	Avery	Provide for voter registration on the Secretary of State's website.	1/21/11	Held in Committee	Held in Committee	
LB 169	Avery	Authorize provisional ballots for registered voters changing residence within Nebraska.	2/24/11	Held in Committee	Held in Committee	
<b>LB/LR</b>	<b>Introducers</b>	<b>One-Liners</b>	<b>Hearing</b>	<b>Committee</b>	<b>Bill Status</b>	<b>Comments</b>

			<b>Date</b>	<b>Disposition</b>		
LB 172	Avery	Create the Commission on Indian and Multicultural Affairs and eliminate the Commission on Latino-Americans and the Commission on Indian Affairs.	1/27/11	Held in Committee	Held in Committee	
LB 173	Avery	Prohibit natural resources district board members from running for or holding more than one office.	2/2/11	Held in Committee	Held in Committee	
LB 175	Avery	Provide for transfers from the Campaign Finance Limitation Cash Fund.	3/16/11	General File with AM887	General File with AM887	
LB 186	Sullivan	Require nonpartisan ballots for county officers.	2/16/11	Held in Committee	Held in Committee	
LB 198	Mello	Change provisions relating to the purchase or lease of state-owned passenger cars.	2/9/11	Held in Committee	Held in Committee	
LB 214	Pankonin	Require nonpartisan election of county and city officials.	2/16/11	Held in Committee	Held in Committee	
LB 224	Avery	Change provisions relating to recall of certain political subdivision officials.	1/28/11	Held in Committee	Held in Committee	
LB 239	Janssen, Bloomfield, Schilz	Require presentation of government-issued photographic identification to vote in elections.	2/24/11	General File with AM727	General File with AM727	<b>Sen. Schilz's priority bill. Motion to invoke cloture (MO87) on GF failed</b>
LB 266	Sullivan, Brasch, McCoy	Change the Open Meetings Act relating to closed sessions.	1/26/11	Held in Committee	Held in Committee	
LB 312	Coash, Avery, Fulton, et al	Adopt the Brain Injury Act to provide ongoing support for veterans with brain injury.	3/2/11	Held in Committee	Held in Committee	
LB 343	Brasch	Change land surveyor registration requirements.	2/9/11	General File	General File	<b>Bill failed to advance from General File.</b>
LB 344	Ashford	Provide for an interjurisdictional planning commission for counties containing a city of the metropolitan class.	2/25/11	General File with AM1577	Select File with ER162	
LB 352	Lautenbaugh	Provide airport hazard area dimensions under the Airport Zoning Act.	2/11/11	General File with AM631	Select File	
LB 365	Sullivan	Change access provisions for voter information and voter registration registers.	2/24/11	Held in Committee	Held in Committee	
<b>LB/LR</b>	<b>Introducers</b>	<b>One-Liners</b>	<b>Hearing</b>	<b>Committee</b>	<b>Bill Status</b>	<b>Comments</b>

			<b>Date</b>	<b>Disposition</b>		
LB 367	McCoy, Avery	Change balloting and vacancy provisions for presidential electors	2/23/11	Held in Committee	Held in Committee	
LB 412	Karpisek	Change provisions regarding contributions and expenditures under the Nebraska Political Accountability and Disclosure Act.	2/17/11	Held in Committee	Held in Committee	
LB 425	Lautenbaugh	Change provisions relating to real estate tracts and the designation of industrial areas.	2/10/11	Held in Committee	Held in Committee	
LB 443	Avery	Increase certain fees assessed by the State Fire Marshal.	2/10/11	Held in Committee	Held in Committee	
LB 444	Avery	Provide methods for notice under the Open Meetings Act.	1/26/11	Held in Committee	Held in Committee	
LB 503	Pirsch	Change provisions for filling a vacancy on a ballot.	2/16/11	General File	Approved by Governor on 2/13/12	
LB 523	Pahls	Require identification for petition circulators.	3/9/11	Held in Committee	Held in Committee	
LB 566	Schumacher	Provide for online petition signatures for recall, initiative and referendum petitions.	3/2/11	Held in Committee	Held in Committee	
LB 568	Schumacher	Provide duties for the State Treasurer relating to state employee benefits.	3/16/11	Held in Committee	Held in Committee	
LB 577	Wightman, Carlson	Provide an application fee for a structure building permit issued by the Department of Aeronautics.	2/10/11	Held in Committee	Held in Committee	
LB 583	Haar	Adopt the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote.	2/23/11	Held in Committee	Held in Committee	
LB 597	Pahls	Require consolidation of county offices.	2/25/11	Held in Committee	Held in Committee	
LB 605	Conrad	Provide for voter registration on election day and require identification to vote.	2/24/11	Held in Committee	Held in Committee	
LB 606	Avery, Lathrop	Require reporting of electioneering communication under the Nebraska Political Accountability and Disclosure Act.	3/2/11	General File	Select File	<b>Sen. Avery's priority bill. Failed to advance to E&amp;R for Eng.</b>
<b>LB/LR</b>	<b>Introducers</b>	<b>One-Liners</b>	<b>Hearing</b>	<b>Committee</b>	<b>Bill Status</b>	<b>Comments</b>

			<b>Date</b>	<b>Disposition</b>		
LB 616	Mello	Require the Dept. of Administrative Services to submit a report on the privatization of the management of the state's real property.	2/11/11	Held in Committee	Held in Committee	
LB 631	Cook	Provide for a permanent early voting request list.	2/24/11	Held in Committee	Held in Committee	
LB 643	Lautenbaugh	Provide additional public records that may be withheld.	3/10/11	Held in Committee	Held in Committee	
LB 654	Christensen	Provide filing requirements for presidential and vice-presidential candidates and prohibit presidential electors from voting for uncertified candidates.	3/10/11	Held in Committee	Held in Committee	
LB 685	Schilz	Change provisions of the Nebraska Visitors Development Act relating to the use of funds and the members of committees.	3/9/11	Held in Committee	Held in Committee	
LB 691	Brasch, Bloomfield, Carlson, et al	Provide requirements relating to purchasing biobased products by state government.	2/11/11	Held in Committee	Held in Committee	
LR 2CA	Harms	Constitutional amendment to authorize county manager form of county government.	2/25/11	Held in Committee	Held in Committee	
LR 19CA	Avery	Constitutional amendment to provide that a civil officer is liable to impeachment for misdemeanors in pursuit of office.	3/4/11	General File with AM866	Presented to Secretary of State on 3/1/12	
LR 123	Cornett, Campbell, Coash, et al	Endorse the proposition that Taiwan participate in the International Civil Aviation Organization as an observer.	4/5/11	Held in Committee	Held in Committee	Date of Introduction on 3/15/11. Referred to Gov. Committee on 3/17/11
<b>2012 Legislation</b>						
LB 717	Council	Change school board election, membership and salary provisions.	1/18/12	Held in Committee	Held in Committee	
LB 719	Price	Change records management provisions.	1/20/12	General File with AM1842	Approved by Governor on 4/10/12	
<b>LB/LR</b>	<b>Introducers</b>	<b>One-Liners</b>	<b>Hearing</b>	<b>Committee</b>	<b>Bill Status</b>	<b>Comments</b>

			<b>Date</b>	<b>Disposition</b>		
LB 720	Lautenbaugh	Change membership provisions and provide salaries for Class V school boards.	1/18/12	General File with AM1843	During GF debate bill was recom-mitted to Gov't Committee on 4/3/12	<b>Senator Lautenbaugh's priority bill</b>
LB 733	Pirsch	Provide for electronic transmission and filing of documents under the Nebraska Uniform Limited Liability Company Act.	1/20/12	General File	Approved by Governor on 3/14/12	
LB 735	Schumacher	Permit governing bodies of community colleges and certain public power districts to hold meetings by videoconferencing or telephone conference.	1/27/12	General File with AM1769	Approved by Governor on 4/2/12	<b>Senator Schumacher's priority bill</b>
LB 736	Schumacher	Require provision of secret-ballot envelopes for elections.	1/25/12	Held in Committee	Held in Committee	
LB 754	Avery	Require reporting of electioneering communication.	1/19/12	Held in Committee	Held in Committee	
LB 755	Avery	Require the Nebraska Accountability and Disclosure Commission to file reports regarding legislative conflicts of interest.	1/19/12	Held in Committee	Held in Committee	
LB 757	Avery	Change political party provisions.	2/1/12	Held in Committee	Held in Committee	<b>Portions/Provisions of LB 757 were amended into LB 1035.</b>
LB 758	Avery	Change provisions relating to gifts given by a lobbyist or principal.	1/19/12	Held in Committee	Held in Committee	
LB 759	Avery	Change petition circulation requirements.	1/25/12	General File with AM1787	Approved by Governor on 3/14/12	
LB 765	Krist, Bloomfield, Campbell, etc.	Change bidding requirements relating to contracts with providers of certain health and social services as prescribed.	Cancelled 2/3/12 Rescheduled to 2/13/12	Held in Committee	Held in Committee	
LB 766	Price	Authorize the Adjutant General to make certain emergency expenditures.	1/27/12	General File	Approved by Governor on 4/10/12	
<b>LB/LR</b>	<b>Introducers</b>	<b>One-Liners</b>	<b>Hearing</b>	<b>Committee</b>	<b>Bill Status</b>	<b>Comments</b>

			<b>Date</b>	<b>Disposition</b>		
LB 767	Howard	Require records of dates and hours of work for state officers and employees.	1/26/12	Held in Committee	Held in Committee	
LB 772	Smith	Change provisions relating to the payment of salaries for county board members.	2/2/12	General File	Approved by Governor on 4/10/12	
LB 775	Brasch	Change disclosure provisions relating to the Auditor of Public Accounts.	1/19/12	Indefinitely Postponed	Indefinitely Postponed	
LB 779	Lautenbaugh	Provide for rental of vehicles for use by state agencies.	1/26/12	General File	Approved by Governor on 4/10/12	
LB 782	McCoy	Require that reports submitted to the Legislature be submitted electronically.	1/27/12	General File with AM1901	Approved by Governor on 4/5/12	<b>Speaker priority bill</b>
LB 792	Mello	Change provisions relating to personal services contract review and approval duties of the Director of Administrative Services.	Cancelled 2/3/12 Rescheduled to 2/13/12	Held in Committee	Held in Committee	
LB 795	Avery	Change provisions relating to applying for membership in veterans homes.	2/15/12	General File	Approved by Governor on 4/10/12	
LB 813	Karpisek	Prohibit counties, cities, and villages from imposing credentialing requirements.	2/16/12	Held in Committee	Held in Committee	
LB 819	Price	Provide for the treatment of military medals as unclaimed property.	2/15/12	General File with AM1999	Approved by Governor on 4/10/12	
LB 823	Adams	Change powers and duties of county treasurers relating to the holding of certain school district funds.	2/2/12	General File	Approved by Governor on 4/10/12	
LB 827	Dubas	Require mediation for budget disputes between a county board and a county officer.	2/8/12	Held in Committee	Held in Committee	
LB 858	Avery, Harms	Change requirements and exceptions for certain state contracts.	Cancelled 2/3/12 Rescheduled 2/13/12	General File with AM2117	Approved by Governor on 4/6/12	<b>Government Committee priority bill. Portions/Prov. of LB's 1159 &amp; 1006 were amended into LB 858.</b>
<b>LB/LR</b>	<b>Introducers</b>	<b>One-Liners</b>	<b>Hearing</b>	<b>Committee</b>	<b>Bill Status</b>	<b>Comments</b>

			<b>Date</b>	<b>Disposition</b>		
LB 860	Hansen	Change qualification and training requirements for truth and deception examiners.	1/20/12	General File	Approved by Governor on 3/14/12	
LB 869	Janssen	Change provisions relating to the State Athletic Commissioner and change membership of the Athletic Advisory Committee.	2/16/12	General File with AM2122	Approved by Governor on 4/10/12	
LB 878	Wallman	Change election calendar, vacancy, ballot, and counting machine provisions.	1/25/12	General File	Approved by Governor on 3/14/12	
LB 880	Pahls	Provide duties relating to reducing costs and adopting modern methods of state and local records management.	2/16/12	General File	Approved by Governor on 4/10/12	
LB 885	Haar	Provide powers and duties to the state building division relating to the energy efficiency of state facilities.	1/26/12	Held in Committee	Held in Committee	
LB 923	Mello, Brasch, Haar, etc.	Adopt the Nebraska Buy American Act.	1/26/12	Held in Committee	Held in Committee	
LB 934	Karpisek	Provide for appointment of all election commissioners by the county board.	2/1/12	Held in Committee	Held in Committee	
LB 936	Karpisek	Change provisions relating to termination of the township board.	2/8/12	General File with AM2303	Approved by Governor on 4/10/12	
LB 944	McCoy, Hadley, Bloomfield, Coash	Prohibit campaign expenditures for personal services of elective officeholders.	2/9/12	Held in Committee	Held in Committee	
LB 953	Fulton	Create state fleet card programs and a fund.	2/16/12	General File with AM2242	General File with AM2242	
LB 966	Karpisek	Change vote canvassing procedures.	2/1/12	Held in Committee	Held in Committee	<b>Portions/Provisions of LB 966 were amended into LB 1035.</b>
LB 971	Harms, Carlson, Lambert, etc.	Merge the Department of Labor into the Department of Economic Development.	2/2/12	General File with AM1970	General File with AM1970	<b>Government, Military &amp; Veterans Affairs Committee priority bill</b>
<b>LB/LR</b>	<b>Introducers</b>	<b>One-Liners</b>	<b>Hearing</b>	<b>Committee</b>	<b>Bill Status</b>	<b>Comments</b>

			<b>Date</b>	<b>Disposition</b>		
LB 975	Smith, Ashford, Avery, etc.	Adopt the Fair Bidding Act.	2/22/12	Held in Committee	Held in Committee	
LB 999	Price	Authorize the display of an honor and remember flag at public buildings.	2/15/12	General File	Select File	
LB 1006	Fulton, Avery	Change bidding provisions relating to vendors who are blind or visually impaired.	2/22/12	General File	General File	<b>Portions/provisions of LB's 1159 &amp; 1006 were amended into LB 858.</b>
LB 1013	Mello, Conrad, Nordquist	Change the Administrative Procedure Act and provide for attorney's fees and costs as prescribed.	2/23/12	Held in Committee	Held in Committee	
LB 1014	Conrad	Authorize the Auditor of Public Accounts to conduct a performance audit of the Department of Roads.	2/9/12	Held in Committee	Held in Committee	
LB 1023	Avery	Provide for the waiver of education-related fees for dependents of veterans.	2/15/12	General File	General File	
LB 1024	Avery	Provide exceptions to the State Personnel System.	2/22/12	Held in Committee	Held in Committee	
LB 1025	Avery	Prohibit accepting gifts and contributions by Public Service Commission members.	2/9/12	Held in Committee	Held in Committee	
LB 1035	Sullivan	Change political party provisions and vote canvassing procedures and provide for automatic nomination of airport authority board members.	2/1/12	General File with AM1900	Approved by Governor on 4/10/12	<b>Portions/provisions of LB's 757 &amp; 966 were amended into LB 1035.</b>
LB 1053	Louden, Mello, Wallman	Create Nebraska Tourism Commission and transfer powers and duties from the Travel and Tourism Division of the Department of Economic Development.	2/2/12	General File	Approved by Governor on 4/11/12	<b>Senator Loudon's priority bill</b>
LB 1060	Avery	Change procedures for adoption and promulgation of rules and regulations.	2/23/12	Held in Committee	Held in Committee	
LB 1070	Wightman	Change eligibility provisions for petitioning on the general election ballot.	2/1/12	General File	General File	
LB 1076	Karpisek	Change requirements for copies of public records and speaking at public meetings.	2/22/12	Held in Committee	Held in Committee	
<b>LB/LR</b>	<b>Introducers</b>	<b>One-Liners</b>	<b>Hearing</b>	<b>Committee</b>	<b>Bill Status</b>	<b>Comments</b>

			<b>Date</b>	<b>Disposition</b>		
LB 1094	Harms	Provide for an election in certain counties to require elections by mail.	2/8/12	Held in Committee	Held in Committee	
LB 1101	Wightman, Sullivan	Change provisions relating to election of county assessors.	2/8/12	General File	Approved by Governor on 4/10/12	
LB 1116	Flood	Change Nebraska Capitol Commission membership provisions.	2/23/12	General File	Approved by Governor on 4/10/12	
LB 1140	Mello	Provide for licensure instead of registration under the Professional Landscape Architects Act.	2/23/12	General File	Approved by Governor on 4/10/12	
LB 1141	McGill	Change provisions relating to reimbursement of travel expenses for Nebraska National Guard members.	2/15/12	General File	Approved by Governor on 4/10/12	
LB 1157	Larson	Change late filing fee provisions under the Nebraska Political Accountability and Disclosure Act.	2/9/12	Indefinitely Postponed	Indefinitely Postponed	
LB 1159	Krist	Provide additional requirements and duties relating to state contracts for services valued at twenty-five million dollars or more.	Cancelled 2/3/12 Rescheduled 2/13/12	Held in Committee	Held in Committee	<b>Portions/Provisions of LB's 1159 &amp; 1006 were amended into LB 858.</b>
LB 1166	Ashford	Eliminate certain elective county offices when approved by the voters and provide for appointments.	No hearing. Bill was withdrawn.		Bill was withdrawn on 1/24/12	
LB 1170	Christensen	Change provisions of separate segregated political funds under the Nebraska Political Accountability and Disclosure Act.	2/24/12	Held in Committee	Held in Committee	
LB 1171	Christensen	Adopt the Nebraska Balance of Powers Act and create the Committee on Nullification of Federal Laws.	2/24/12	Held in Committee	Held in Committee	
LR 371	McCoy	Request for a federal amendments convention limited to amending the Constitution of the United States providing that an increase in the federal debt requires certain approval.	2/24/12	Held in Committee	Held in Committee	
<b>LB/LR</b>	<b>Introducers</b>	<b>One-Liners</b>	<b>Hearing</b>	<b>Committee</b>	<b>Bill Status</b>	<b>Comments</b>

			<b>Date</b>	<b>Disposition</b>		
LR 381	Fulton	Recognize the achievements of Colonel Harry Francis Cunningham on the eightieth anniversary of the completion of the State Capitol and request the Lincoln City Council rename a portion of "J" Street in his honor.	2/24/12	Held in Committee	Held in Committee	
LR 473	Avery	Approve the gift of materials, labor, and in-kind services from the Norfolk Veterans' Home Heroes Park Foundation to the Norfolk Veterans' Home Heroes Park Project.	3/13/12	Committee approved on 3/13/12. Resolution drafted and filed with Clerk of the Legislature.	Adopted. President/Speaker signed on 3/19/12	Date of Introduction on 3/14/12